



Correspondence Management System

Congressional Search Results

Search Date: December 06, 2018

BLACK, DIANE-House of Representatives-/DC

Total: 33

Control No.	Status	Letter Date	Received	Subject	Last Action
AL-13-000-5920	Closed	May 22, 2013	May 30, 2013	QUESTIONS/ REQUESTING INFORMATION ABOUT AGENCY'S PARTICIPATION IN THE STUDENT LOAN REPAYMENT PROGRAM (SLRP)	Kathy Mims Control Closed
AL-15-001-2055	Closed	Jul 28, 2015	Jul 29, 2015	OZONE NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS)	ADMIN Josh Lewis CC aborted due to user office changed.
AL-14-001-1070	Closed	Jun 12, 2014	Jun 17, 2014	EMISSION GUIDELINES FOR EXISTING STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS	ADMIN Josh Lewis CC aborted due to user office changed.
AL-15-000-4746	Closed	Dec 19, 2014	Jan 28, 2015	CARBON POLLUTION EMISSION GUIDELINES FOR EXISTING STATIONARY SOURCES: ELECTRIC UTILITY GENERATING UNITS	ADMIN Josh Lewis CC aborted due to user office changed.
AL-12-000-6737	Closed	Apr 16, 2012	Apr 16, 2012	2012 ENERGY STAR AWARD WINNER	Kathy Mims Control Closed
AL-12-001-2897	Closed	Aug 01, 2012	Aug 03, 2012	RENEWABLE FUELS STANDARD (RFS)	ADMIN Cheryl MacKay CC aborted due to user office changed.
AL-13-000-6456	Closed	Jun 17, 2013	Jun 18, 2013	SEEKING CLARIFICATION ON FOUNDRY ENFORCEMENT	Kathy Mims Control Closed
AL-14-001-0098	Closed	May 22, 2014	May 28, 2014	REQUEST THAT THE EPA PROVIDE A LONG COMMENT PERIOD ON ITS UPCOMING REGULATION OF GREENHOUSE GASES FROM EXISTING POWER PLANTS	ADMIN Josh Lewis CC aborted due to user office changed.
AL-11-000-2674	Closed	Feb 15, 2011	Feb 23, 2011	BOILER MACT	Cassandra Eades Control Closed
AL-11-000-5941	Closed	Apr 14, 2011	Apr 18, 2011	REGARDING THE "CLEAN WATER PROTECTION GUIDANCE" FOR REGULATORY REVIEW	Kathy Mims Control Closed
AL-11-001-3062	Closed	Jul 27, 2011	Aug 03, 2011	CONCERNS WITH THE IMPLEMENTATION OF THE OIL SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) RULE FOR FARMERS AND RANCHERS	Kathy Mims Control Closed
AL-16-000-1223	Closed	Nov 04, 2015	Nov 04, 2015	RE: RENEWABLE FUEL STANDARD (RFS)	Kathy Mims Control Closed
AL-16-000-0876	Closed	Oct 16, 2015	Oct 27, 2015	REGARDING THE EFFECTS THE ADMINISTRATION'S PHASE 2 GREENHOUSE GAS EMISSIONS STANDARDS AND FUEL EFFICIENCY STANDARDS FOR MEDIUM- AND HEAVY- DUTY ENGINES AND VEHICLES WILL HAVE ON THE PRODUCERS AND CONSUMERS OF GLIDER KITS, GLIDER VEHICLES AND REMANUFACTURED ENGINES	Kathy Mims Control Closed
AL-18-001-0515	Pending	Aug 29, 2018	Sep 05, 2018	CONCERN ABOUT RECENT INJECTION GRANTED BY THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA REGARDING THE 2015 CLEAN WATER RULE: DEFINITION OF "WATERS OF THE UNITED STATES" ("THE WOTUS RULE")	Sineta Brown Reassigns control from Wanda Fields to Sineta Brown
AL-11-000-3025	Closed	Feb 23, 2011	Feb 28, 2011	EPA'S PROPOSED RULE TO RECONSIDER A RECENTLY ISSUED 2008 NATIONAL AMBIENT AIR QUALITY STANDARD (NAAQS) FOR GROUND LEVEL OZONE	ADMIN Cheryl MacKay CC aborted due to user office changed.
AL-11-000-4972	Closed	Mar 29, 2011	Mar 30, 2011	REGARDING REGULATION OF PARTICULATE MATTER (PM10)	ADMIN John Millett CC aborted due to user office changed.
AL-15-000-3443	Closed	Dec 15, 2014	Dec 16, 2014	PROPOSED RULE REGARDING THE CHANGE OF LISTING STATUS FOR CERTAIN SUBSTITUTES UNDER THE SNAP PROGRAM	ADMIN Cheryl MacKay CC aborted due to user office changed.
AL-13-000-7958	Closed	Jul 24, 2013	Aug 01, 2013	RE: EPA PROPOSED RULE: REVISIONS TO EXISTING REQUIREMENTS AND	Kathy Mims Control Closed



Correspondence Management System

Congressional Search Results

Search Date: December 06, 2018

BLACK, DIANE-House of Representatives-/DC

Total: 33

Control No.	Status	Letter Date	Received	Subject	Last Action
				NEW REQUIREMENTS OR SECONDARY CONTAINMENT AND OPERATOR TRAINING (EPA-HQ-UST-2011-0301)	
AL-15-000-9901	Closed	Jun 01, 2015	Jun 09, 2015	RE: ENERGY STAR PROGRAM	ADMIN Josh Lewis CC aborted due to user office changed.
AL-16-001-0297	Closed	Jun 23, 2016	Jul 20, 2016	QUESTIONS / REGARDING STAY OF THE CLEAN POWER PLAN (CPP)	Cassandra Eades approved and closed control
AL-16-000-9058	Closed	Jun 08, 2016	Jun 10, 2016	THE RENEWABLE FUEL STANDARD (RFS)	Cassandra Eades approved and closed control
AL-16-001-1790	Closed	Aug 26, 2016	Aug 31, 2016	CONCERNS WITH THE ADMINISTRATION'S FINALIZED PHASE 2GHG/FE STANDARDS FOR MEDIUM- AND HEAVY-DUTY VEHICLES	Kathy Mims approved and closed control
AL-17-001-0325	Closed	Jun 01, 2017	Jun 21, 2017	POLLUTION FROM BAGGETTS GRAIN INC.	Cassandra Eades Closure Request Approved
AL-11-000-2962	Closed	Feb 23, 2011	Feb 25, 2011	BOILER MACT	Cassandra Eades Control Closed
AL-14-001-0949	Closed	Jun 13, 2014	Jun 16, 2014	THE EPA'S REVISED NEW SOURCE PERFORMANCE STANDARDS (NSPS) FOR NEW RESIDENTIAL WOOD HEATERS	ADMIN Josh Lewis CC aborted due to user office changed.
AL-15-001-0595	Closed	Jun 17, 2015	Jun 25, 2015	RE: NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) FOR GROUND LEVEL OZONE IS FINALIZED	ADMIN Josh Lewis CC aborted due to user office changed.
AL-15-001-1437	Closed	Jul 14, 2015	Jul 15, 2015	CLAY MACT	ADMIN Josh Lewis CC aborted due to user office changed.
AL-14-000-0792	Closed	Oct 30, 2013	Oct 31, 2013	RENEWABLE FUEL STANDARDS	ADMIN Cheryl MacKay CC aborted due to user office changed.
AL-14-000-4913	Closed	Feb 07, 2014	Feb 07, 2014	2,4-D SPRAY DRIFT	Cassandra Eades Closure Request Approved
AL-14-000-9245	Closed	May 01, 2014	May 07, 2014	WATERS OF THE U.S.	Cassandra Eades Control Closed
AL-16-000-8692	Closed	May 19, 2016	May 31, 2016	WIND ENERGY PROJECT PROPOSED BY APEX CLEAN ENERGY IN CRAB ORCHARD, TENNESSEE	Cassandra Eades Closure Request Approved
AL-16-000-7153	Closed	Apr 20, 2016	Apr 20, 2016	CONCERNS WITH EPA REGION 10 FUNDED WHATSUPSTREAM.COM WEBSITE AND CAMPAIGN	Kathy Mims Closure Request Approved
AL-19-000-1307	Pending	Oct 03, 2018	Nov 26, 2018	2019 RENEWABLE VOLUME OBLIGATIONS (RVO)	Maria Carroll Assign OAR-OTAG as lead office

ADAM KINZINGER
11TH DISTRICT, ILLINOIS

1218 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3635

Congress of the United States
House of Representatives
Washington, DC 20515-1311

February 15, 2011

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building, Mail Code: 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

As newly elected Representatives, we look forward to working with you in the 112th Congress. We are writing you to echo concerns recently expressed by a bipartisan group of 114 Representatives during the 111th Congress on EPA's proposed Maximum Achievable Control Technology rules for boilers (Boiler MACT). Various analyses suggest the proposed Boiler MACT rules could cost tens of billions of dollars and hundreds of thousands of jobs at a time when our nation can least afford it.

We are disappointed that the court granted EPA only one additional month to complete the Boiler MACT and related rulemakings when they asked for fifteen months to develop a practical final rule. We appreciate that you plan to allow for another round of public review and comment through reconsideration of the rules and that the standards will be significantly different than those proposed in June 2010. Despite the limited time, we urge you to issue a final rule on February 21st that will include changes to preserve jobs and protect the environment.

Specifically, the final standards should be achievable by well performing boilers under the range of normal operating conditions. We also urge EPA to use the discretion Congress provided to develop cost-effective targeted rules that protect public health. Finally, the biomass standards should not discourage the use of this important source of renewable energy.

We cannot have economic recovery if manufacturers, municipalities, small businesses, universities, hospitals and others are smothered in billions of dollars of regulations that may not even be achievable. We are committed to fighting for the jobs of hard working Americans across the country who recently elected us to represent them in Washington, DC. We urge EPA to issue final regulations consistent with President Obama's new Executive order on regulation that protects public health and promotes economic recovery.

Thank you for your attention to this important matter.

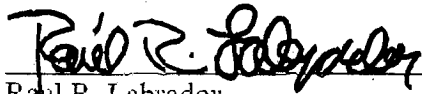
Sincerely,



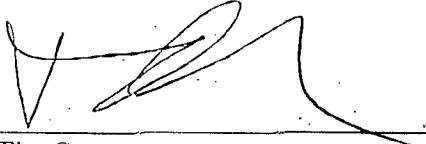
Adam Kinzinger
Member of Congress



Todd Rokita
Member of Congress



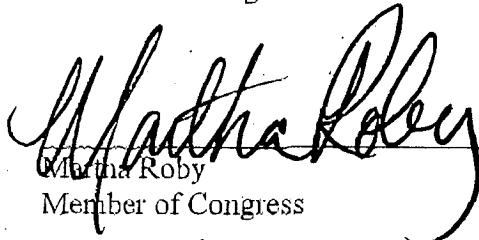
Raul R. Labrador
Member of Congress



Tim Scott
Member of Congress



Bill Flores
Member of Congress



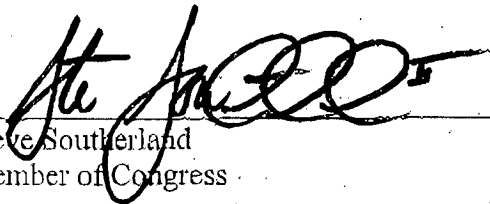
Martha Roby
Member of Congress



Sean P. Duffy
Member of Congress



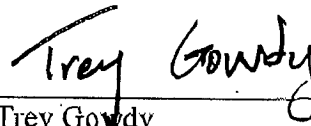
Robert Hurt
Member of Congress



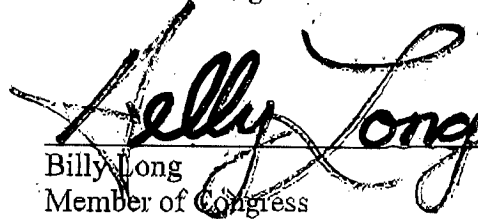
Steve Southerland
Member of Congress



Bob Gibbs
Member of Congress



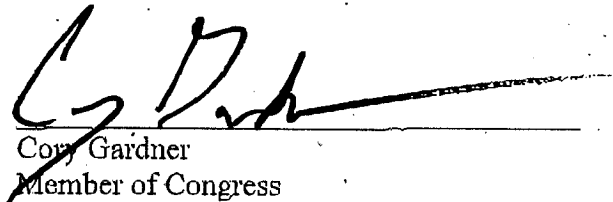
Trey Gowdy
Member of Congress



Billy Long
Member of Congress



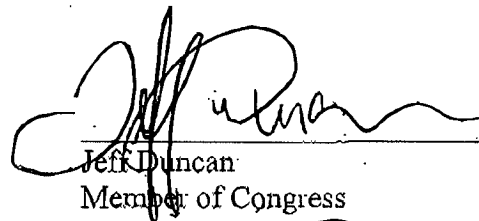
Terri A. Sewell
Member of Congress



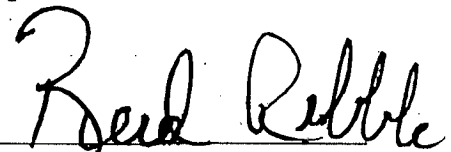
Cory Gardner
Member of Congress



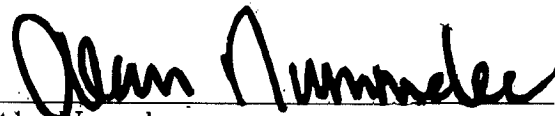
Mick Mulvaney
Member of Congress



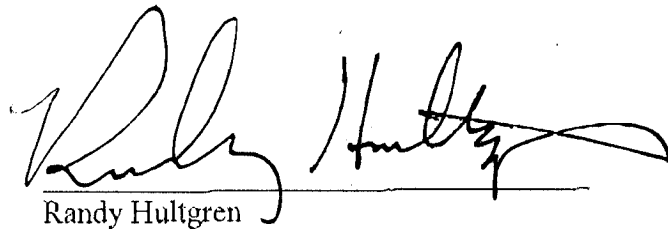
Jeff Duncan
Member of Congress




Reid Ribble
Member of Congress



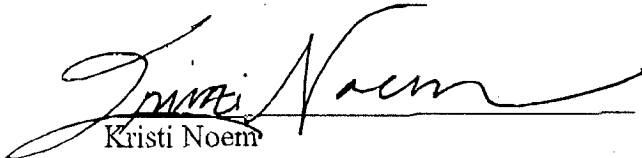
Alan Nunnelee
Member of Congress



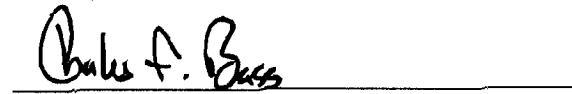
Randy Hultgren
Member of Congress


M.C.

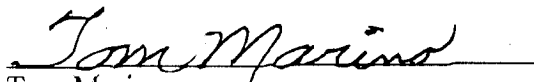
David McKinley
Member of Congress



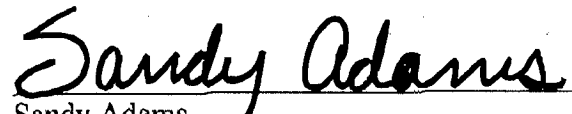
Kristi Noem
Member of Congress



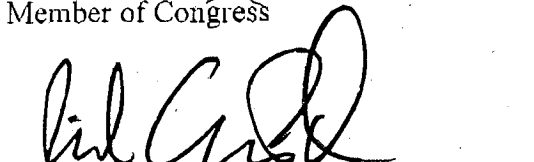
Charles Bass
Member of Congress




Tom Marino
Member of Congress



Sandy Adams
Member of Congress




Rick Crawford
Member of Congress



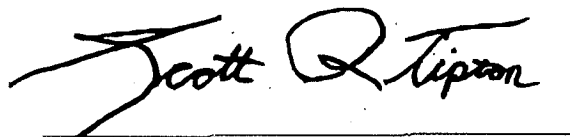
Chris Gibson
Member of Congress



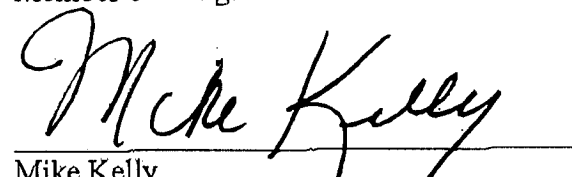
Renee Ellmes
Member of Congress




Scott Rigell
Member of Congress




Scott Tipton
Member of Congress



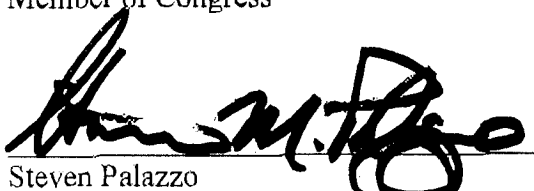
Mike Kelly
Member of Congress



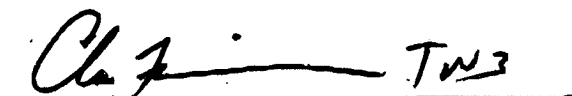
Dan Benishek
Member of Congress



Lou Barletta
Member of Congress



Steven Palazzo
Member of Congress


TW3

Chuck Fleischmann
Member of Congress

Mo Brooks

Mo Brooks
Member of Congress

Chip Cravaack

Chip Cravaack
Member of Congress

Steve Womack
Steve Womack
Member of Congress

Robert Dold

Robert Dold
Member of Congress

Dennis Ross

Dennis Ross
Member of Congress

Vicky Hartzler

Vicky Hartzler
Member of Congress

Blake Farenthold

Blake Farenthold
Member of Congress

Bill Johnson

Bill Johnson
Member of Congress

Tim Griffin

Tim Griffin
Member of Congress

Steve Stivers

Steve Stivers
Member of Congress

Jaime Herrera Beutler

Jaime Herrera Beutler
Member of Congress

Scott DesJarlais
Scott DesJarlais
Member of Congress

Diane Black

Diane Black
Member of Congress

Daniel Webster

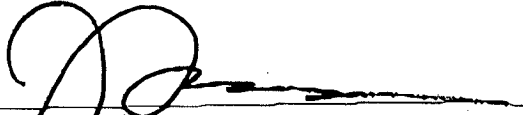
Daniel Webster
Member of Congress

Stephen Fincher

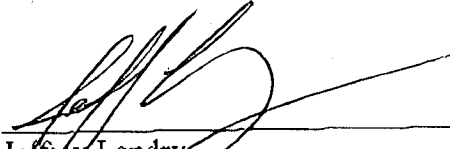
Stephen Fincher
Member of Congress

Morgan Griffith


Morgan Griffith
Member of Congress



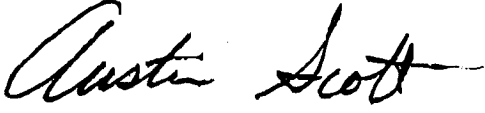
Jim Renacci
Member of Congress



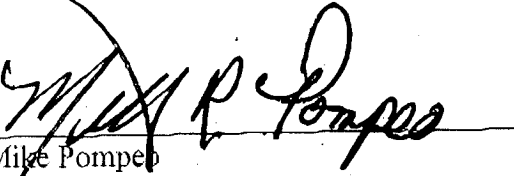
Jeffrey Landry
Member of Congress



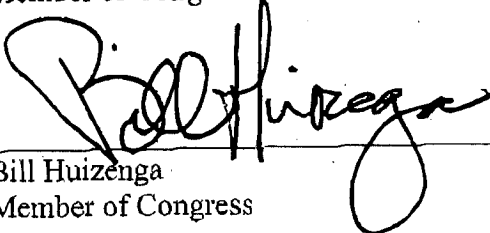
Bobby Schilling
Member of Congress



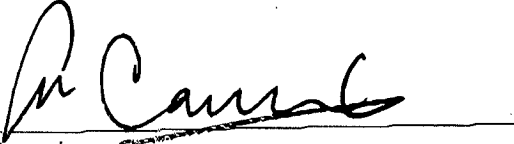
Austin Scott
Member of Congress




Mike Pompeo
Member of Congress




Bill Huizenga
Member of Congress



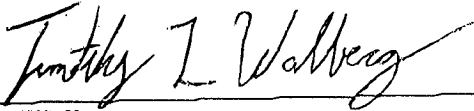
Francis Canseco
Member of Congress




David Schweikert
Member of Congress



Joe Walsh
Member of Congress



Tim Walberg
Member of Congress



Steve Chabot
Member of Congress



CONGRESSMAN ADAM KINZINGER

REPRESENTING THE ILLINOIS 11TH DISTRICT

FACSIMILE COVER LETTER

TO:

FROM:

Administrator Jackson c/o David McIntosh

Congressman Adam Kinzinger

COMPANY:

DATE:

Environmental Protection Agency

2/16/2011

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

202-501-1519

6

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Congress of the United States

Washington, DC 20515

February 23, 2011

**The Honorable Lisa Jackson
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460**

Dear Administrator Jackson:

We write to you today to express our concern regarding the Environmental Protection Agency's (EPA) proposed rule to reconsider a recently issued 2008 National Ambient Air Quality Standard (NAAQS) for ground level ozone. This action departs from the normal five-year NAAQS review schedule established by the Clean Air Act, a statutory process that includes mandatory reviews of new science and affords multiple opportunities for public comment. EPA has announced that it intends to issue the final reconsideration rule on July 29, 2011, without following these important statutory procedures.

According to EPA's estimate, the 2008 standard requires states and local governments to make significant reductions in ozone at a cost to industry of about \$7.6 to \$8.8 billion per year. EPA's new proposal calls for even greater reductions that will cost up to \$90 billion per year, per EPA's own estimates. In addition, an EPA ozone standard change carries significant economic growth restrictions for areas not able to meet the new standards. These begin almost immediately and can last for decades.

According to EPA air quality data, the stringent limits in the new proposal could result in hundreds of new counties being in violation of the new standards. These areas will then be less attractive for new businesses selecting locations in which to grow. Existing businesses in these areas would be burdened with additional costly controls as well as delays and uncertainties in permitting modifications or expansions of existing plants or facilities, or construction of new plants or facilities, reducing competitiveness. This will clearly jeopardize our economic recovery and reduce our ability to create jobs that put Americans back to work.

We are concerned over the potential impact of EPA's proposed ozone rule and the Agency's failure to base the rule on a full review of available scientific analyses. EPA's deadline for issuing the final rule accelerates two years from EPA's scheduled review of standards in 2013. In contrast to EPA's proposed rule, current law provides for a review of new ozone health studies since 2005, and will be complemented by public input during the statutory NAAQS setting process.


Review of the new health science is critical given the significant costs and implications of EPA's currently proposed rule. While we strongly support protecting public health and the environment, EPA must ensure, as required under the Clean Air Act, that the standard is based on the best available scientific information.

We believe that EPA's arbitrary proposal to tighten the ozone standard without a full review of the most recent science only three years after setting a more stringent standard in 2008 is inappropriate. We urge you to withdraw the proposed rule and instead focus on the scientific and technical input associated with the ongoing full, statutory review of the standard in 2013.

Sincerely,



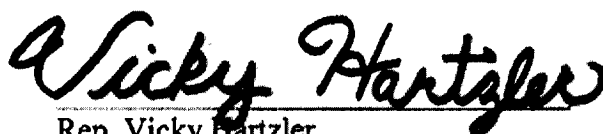
Rep. Bill Flores



Rep. Blake Farenthold



Rep. Bill Johnson



Rep. Vicky Hartzler



Rep. Alan Nunnelee



Rep. Kevin Yoder



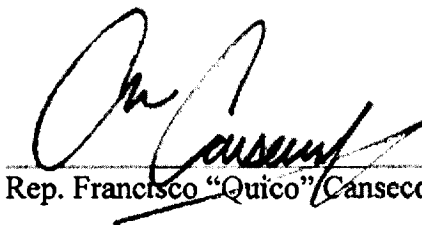
Rep. Billy Long



Rep. Scott Desjarlais



Rep. Mick Mulvaney



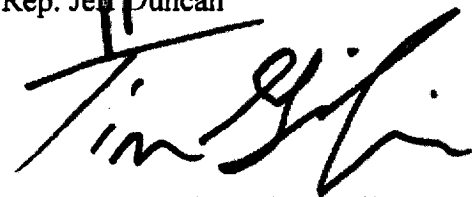
Rep. Francisco "Quico" Canseco



Rep. Jeff Duncan



Rep. Diane Black

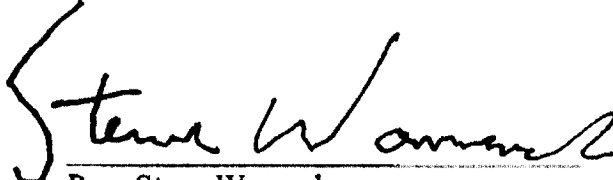


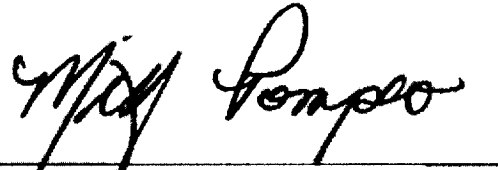
Rep. Tim Griffin

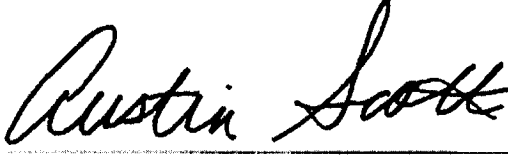


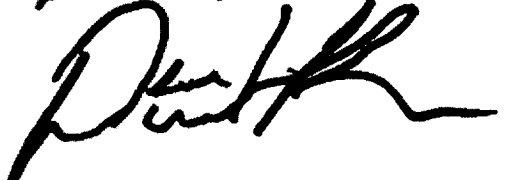
Rep. Ben Quayle



Rep. Ann Marie Buerkle


Rep. Steve Womack



Rep. Mike Pompeo

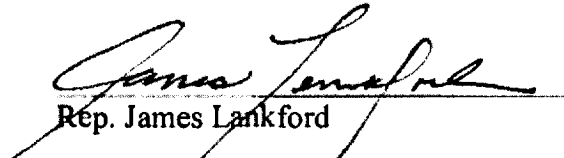

Rep. Austin Scott


Rep. David Rivera



Rep. Adam Kinzinger



Rep. Larry Buchson



Rep. Todd Rokita


Rep. James Lankford

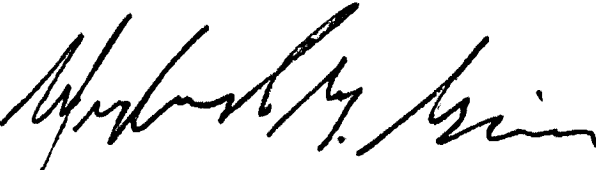

Rep. Trey Gowdy



Rep. David McKinley MC


Rep. Tim Walberg


Rep. Dennis Ross


Rep. Scott Rigell


Rep. Michael Grimm


Rep. Frank Guinta

Lou Barletta

Rep. Lou Barletta

Tom Reed

Rep. Tom Reed

NY-29

Morgan Griffith

Rep. Morgan Griffith

Robert Hurt

Rep. Robert Hurt

Rick Crawford

Rep. Rick Crawford

Steve Stivers

Rep. Steve Stivers

Mike Kelly

Rep. Mike Kelly

Jeffrey Landry

Rep. Jeffrey Landry

Congress of the United States
Washington, DC 20515

March 29, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Administrator Jackson:

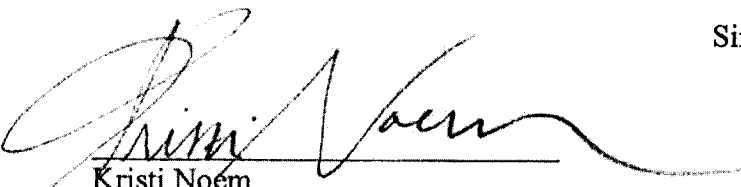
We write today to express our concerns about the U.S. Environmental Protection Agency's (EPA) potential revision to the National Ambient Air Quality Standards (NAAQS) for Coarse Particulate Matter (PM₁₀), more commonly known as dust. Making the PM₁₀ standard more stringent would have a devastating impact on farmers, ranchers, and all of rural America. This could cost farmers and businesses millions of dollars in compliance costs, greatly slowing economic development in rural communities where job creation is desperately needed.

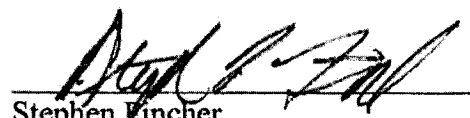
For many areas of the country, especially in rural America, dust occurs naturally and is a simple fact of life. There are many activities essential to farming such as plowing, planting, and harvesting which involve dust. Even driving down an unpaved road raises dust. These regulations could decrease the ability of the agriculture community in the United States to meet the world's food needs as well as decrease productivity, increase food prices, and incur job losses in rural America.

The potential revision of the NAAQS to a level of 65-85 $\mu\text{g}/\text{m}^3$ is below naturally occurring levels of dust in some states, making it impossible to meet. By EPA's own admission, the number of counties in nonattainment would more than double. Not surprisingly, these areas are primarily located in rural, dry parts of the country. At a time when the focus of the Administration should be on economic development and job creation, the EPA is instead promulgating rules which may have the opposite effect. If implemented, the proposed standards could subject farmers, livestock producers, and industry to burdensome regulations which could result in fines amounting to \$37,500 a day for violations. Even EPA's 2nd Draft Policy Assessment acknowledges that uncertainties in scientific studies would allow the EPA to retain the current standard.

There are no better stewards of the land than America's agriculture community. Given the difficulty and expensive process of mitigating dust in most settings, the revised standards could have a devastating impact on rural economies and greatly reduce our nation's food security. If, as the agency has determined, rural fugitive dust has been found to be of less public health concern than dust in urban areas, there is no reason to adopt the revised standard. We strongly encourage the EPA not to implement the more stringent proposed standards.

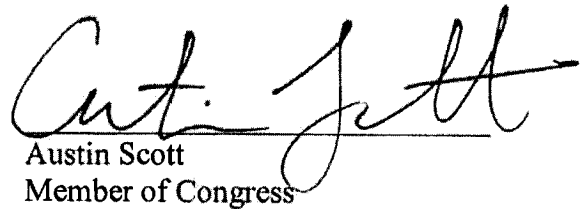
Sincerely,


Kristi Noem
Member of Congress


Stephen Fincher
Member of Congress



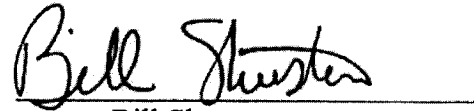
Adam Kinzinger
Member of Congress



Austin Scott
Member of Congress



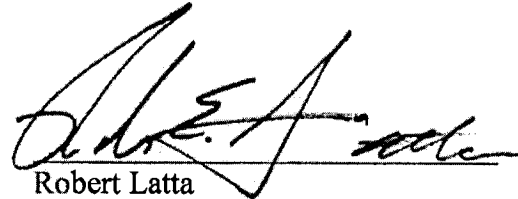
Benjamin Quayle
Member of Congress



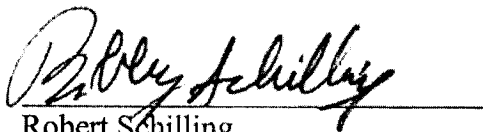
Bill Shuster
Member of Congress



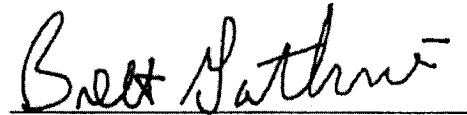
Bob Goodlatte
Member of Congress



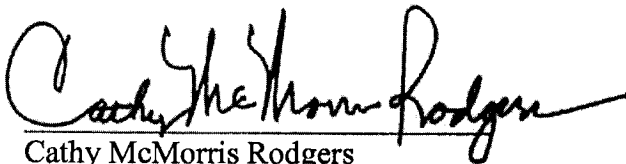
Robert Latta
Member of Congress



Robert Schilling
Member of Congress



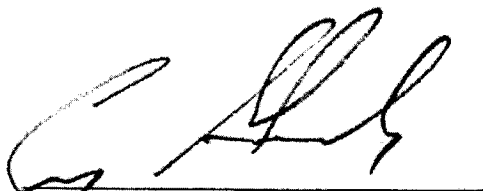
Brett Guthrie
Member of Congress



Cathy McMorris Rodgers
Member of Congress

 TN-3

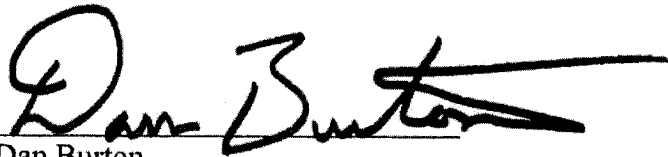
Charles "Chuck" Fleischmann
Member of Congress



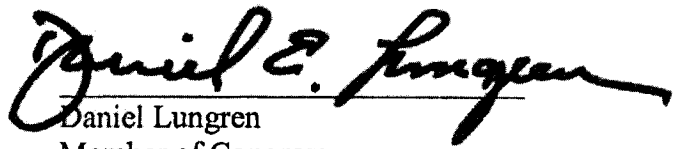
Cory Gardner
Member of Congress



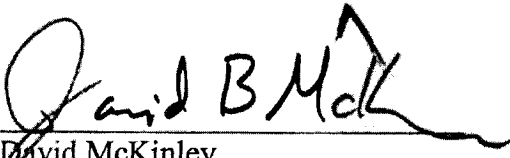
Dan Benishek
Member of Congress



Dan Burton
Member of Congress



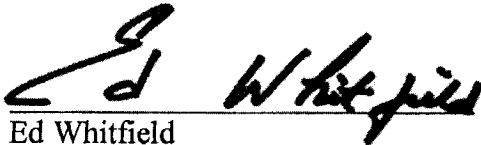
Daniel Lungren
Member of Congress



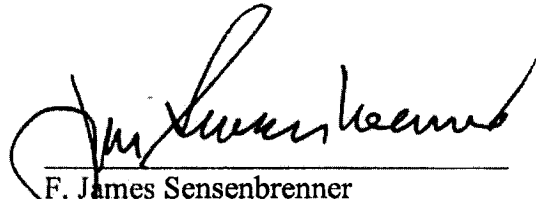
David McKinley
Member of Congress



Diane Black
Member of Congress



Ed Whitfield
Member of Congress



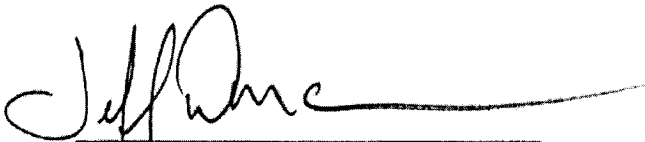
F. James Sensenbrenner
Member of Congress



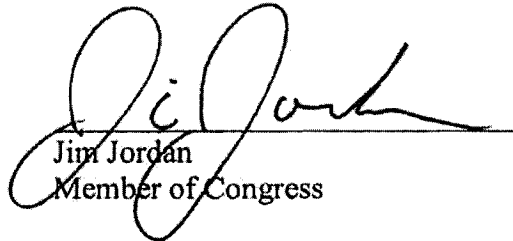
Glenn 'GT' Thompson
Member of Congress



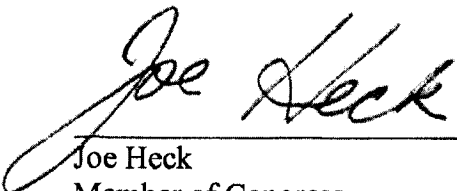
Jack Kingston
Member of Congress



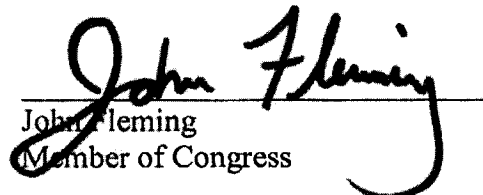
Jeff Duncan
Member of Congress



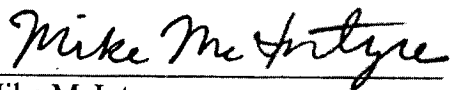
Jim Jordan
Member of Congress



Joe Heck
Member of Congress



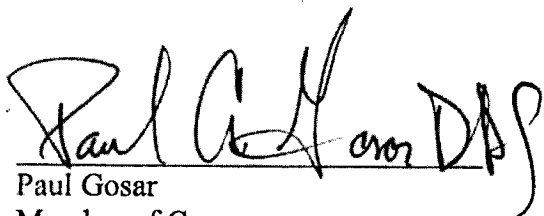
John Fleming
Member of Congress



Mike McIntyre
Member of Congress



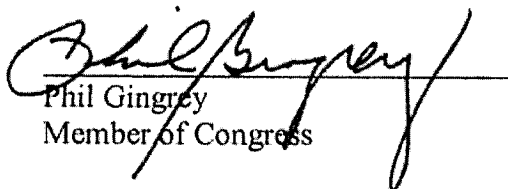
Mick Mulvaney
Member of Congress



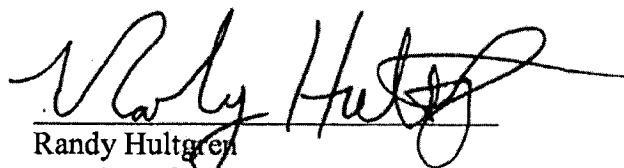
Paul Gosar
Member of Congress



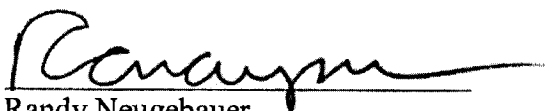
Pete Olson
Member of Congress



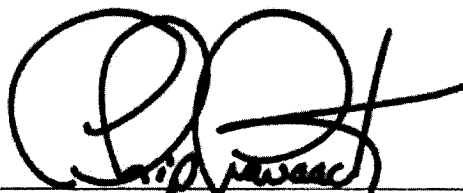
Phil Gingrey
Member of Congress



Randy Hultgren
Member of Congress



Randy Neugebauer
Member of Congress



Chip Cravaack
Member of Congress



Reid Ribble
Member of Congress



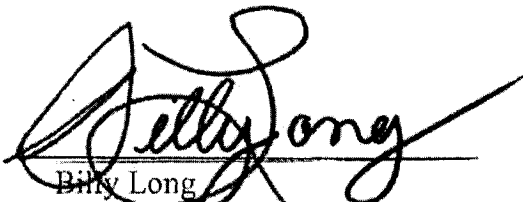
Rick Crawford
Member of Congress



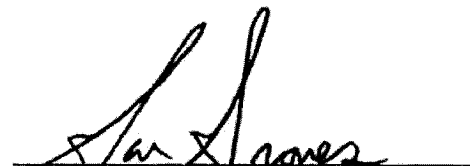
Rob Bishop
Member of Congress



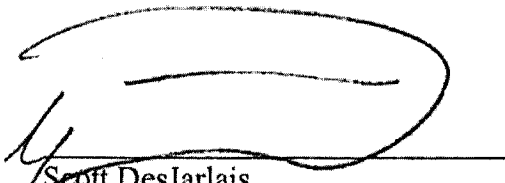
Robert Hurt
Member of Congress




Billy Long
Member of Congress




Sam Graves
Member of Congress




Scott DesJarlais
Member of Congress



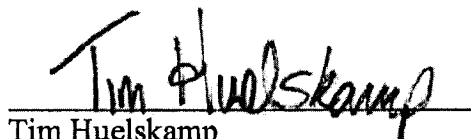
Scott Rigell
Member of Congress



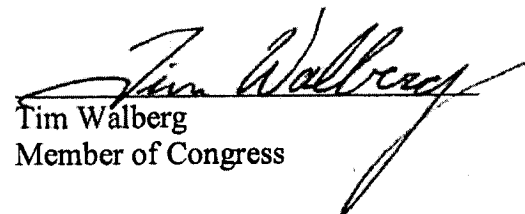
Scott Tipton
Member of Congress



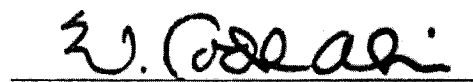
Tim Griffin
Member of Congress



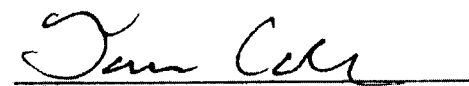
Tim Huelskamp
Member of Congress



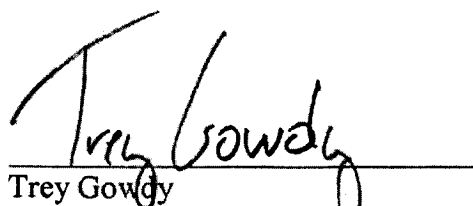
Tim Walberg
Member of Congress



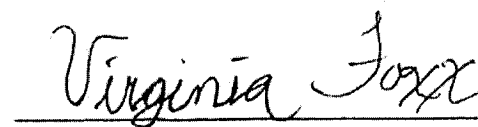
Todd Akin
Member of Congress



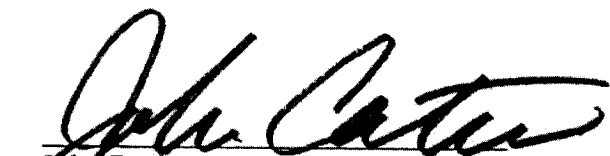
Tom Cole
Member of Congress





Trey Gowdy
Member of Congress





Virginia Foxx
Member of Congress



John R. Carter
Member of Congress



Timothy V. Johnson
Member of Congress

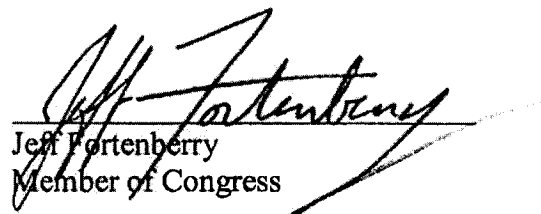

Michael Conaway
Member of Congress

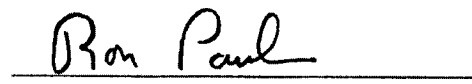

Bob Gibbs
Member of Congress

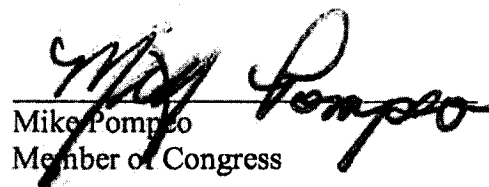

Jeff Denham
Member of Congress



Bill Flores
Member of Congress



Jeffrey Landry
Member of Congress

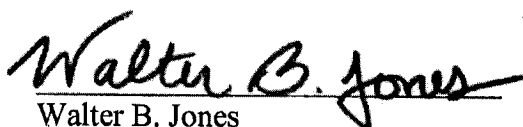

Jeff Fortenberry
Member of Congress


Dr. Ron Paul
Member of Congress

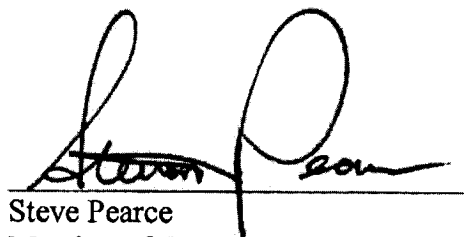

Mike Pompeo
Member of Congress


Mike Rogers
Member of Congress


Candice Miller
Member of Congress



Walter B. Jones
Member of Congress



Steve Pearce
Member of Congress



Chris Gibson
Member of Congress



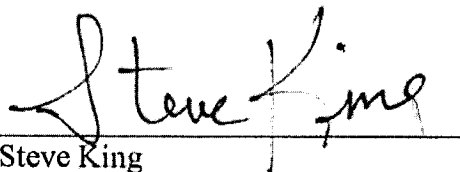
Rick Berg
Member of Congress



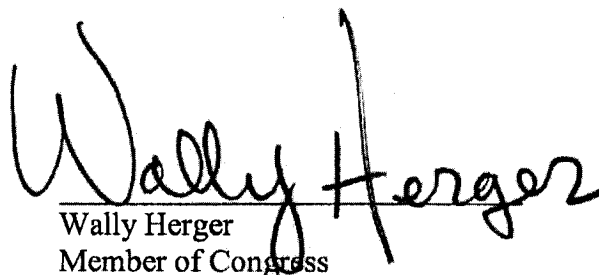
Tom McClintock
Member of Congress



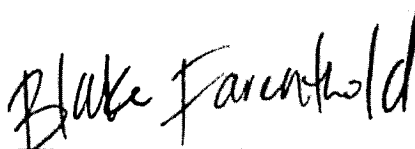
Marlin Stutzman
Member of Congress



Steve King
Member of Congress



Wally Herger
Member of Congress



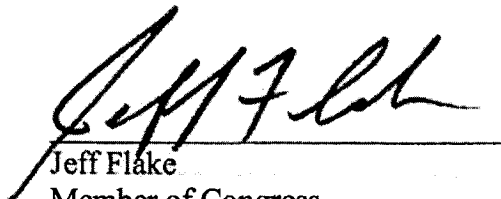
Blake Farenthold
Member of Congress



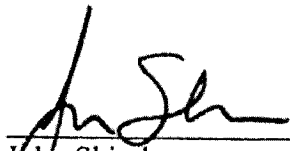
Alan Nunnelee
Member of Congress

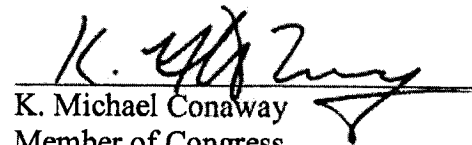


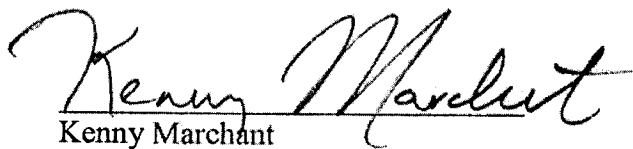
Raúl Labrador
Member of Congress

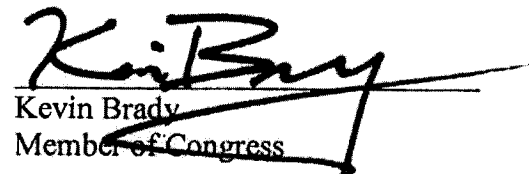


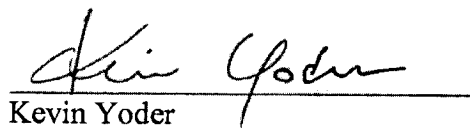
Jeff Flake
Member of Congress

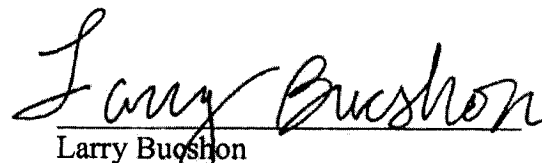

John Shimkus
Member of Congress

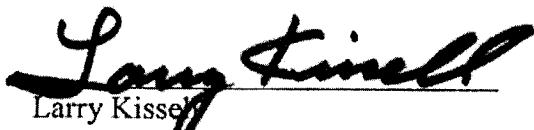

K. Michael Conaway
Member of Congress

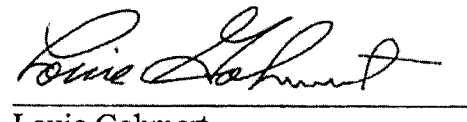

Kenny Marchant
Member of Congress



Kevin Brady
Member of Congress

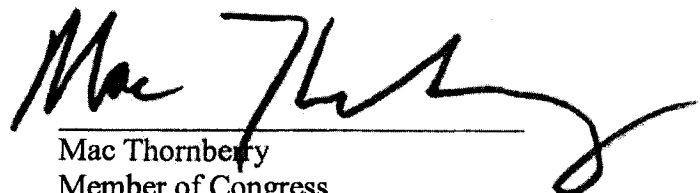

Kevin Yoder
Member of Congress

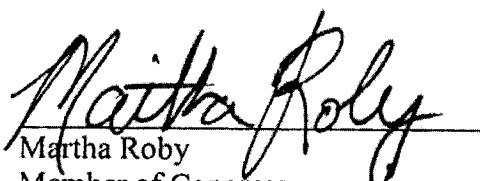

Larry Bucshon
Member of Congress



Larry Kissel
Member of Congress

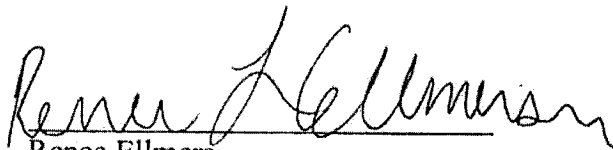

Louie Gohmert
Member of Congress


Lynn Jenkins
Member of Congress


Mac Thornberry
Member of Congress


Martha Roby
Member of Congress


Mike Coffman
Member of Congress



Renee Ellmers
Member of Congress



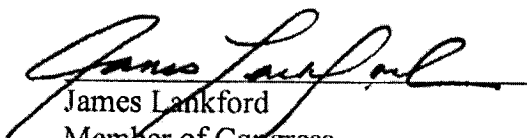
Steve Scalise
Member of Congress



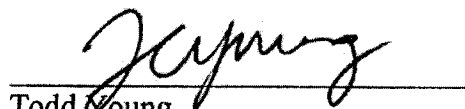
Francisco "Quico" Canseco
Member of Congress



Spencer Bachus
Member of Congress



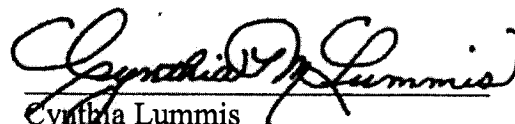
James Lankford
Member of Congress



Todd Young
Member of Congress



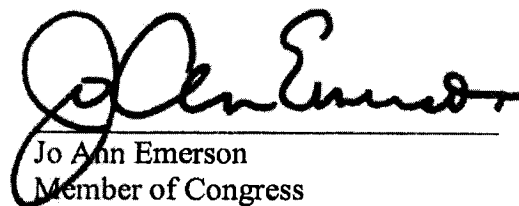
Ted Poe
Member of Congress



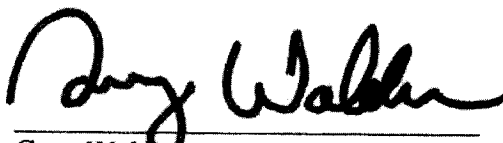
Cynthia Lummis
Member of Congress



Robert Aderholt
Member of Congress



Jo Ann Emerson
Member of Congress



Greg Walden
Member of Congress

David P. Roe

David P. Roe
Member of Congress

Vicky Hartzler

Vicky Hartzler
Member of Congress

Tom Reed NY 29

Tom Reed
Member of Congress

Steven M. Palazzo

Steven M. Palazzo
Member of Congress

Congress of the United States
Washington, DC 20515

April 14, 2011

The Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

The Honorable Jo-Ellen Darcy
Assistant Secretary of the Army
for Civil Works
108 Army Pentagon
Room 3E446
Washington, DC 20310-0108

Dear Administrator Jackson and Assistant Secretary Darcy:

In December 2010, the Environmental Protection Agency and Corps of Engineers (collectively, the "Agencies") sent draft "Clean Water Protection Guidance" to the Office of Management and Budget for regulatory review. The intent of the document is to describe how the Agencies will identify waters subject to jurisdiction under the Federal Water Pollution Control Act of 1972 (more commonly known as the "Clean Water Act") and implement the U.S. Supreme Court's decisions in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* (SWANCC) and *United States v. Rapanos* (Rapanos) concerning the extent of waters covered by the Act. Further, this document would supersede guidance that the Agencies previously issued in 2003 and 2008 on determining the scope of "waters of the United States" subject to Clean Water Act programs.

In our view, this "Guidance" goes beyond clarifying the scope of "waters of the United States" subject to Clean Water Act programs. Rather, it is aimed, as even the Agencies acknowledge, at "increas[ing] significantly" the scope of the Clean Water Act's jurisdiction over more waters and more provisions of the Clean Water Act as compared to practices under the currently applicable 2003 and 2008 guidance. ("Guidance," at 1.)

It appears that the Agencies intend to expand the applicability of this "Guidance" beyond section 404 to all other Clean Water Act provisions that use the term "waters of the United States," including sections 402, 401, 311, and 303. Moreover, the Agencies intend to "alleviate the need to develop extensive administrative records for certain jurisdictional determinations" ("Guidance," at 1), thereby shifting the burden of proving the jurisdictional status of a "water" from the Agencies to the regulated community, and thus making the provisions of this "Guidance" binding on the regulated community.

In light of the substantive changes in policy that the Administration is considering with this "Guidance," we are extremely concerned that this "Guidance" amounts to a *de facto* rule instead of mere advisory guidelines. Additionally, we fear that this "Guidance" is an attempt to

short-circuit the process for changing agency policy and the scope of Clean Water Act jurisdiction without following the proper, transparent rulemaking process that is dictated by the Administrative Procedure Act.

This "Guidance" would substantively change the Agencies' policy on waters subject to jurisdiction under the Clean Water Act; undermine the regulated community's rights and obligations under the Clean Water Act; and erode the Federal-State partnership that has long existed between the States and the Federal Government in implementing the Clean Water Act. By developing this "Guidance," the Agencies have ignored calls from state agencies and environmental groups, among others, to proceed through the normal rulemaking procedures, and have avoided consulting with the States, which are the Agencies' partners in implementing the Clean Water Act.

The Agencies cannot, through guidance, change the scope and meaning of the Clean Water Act or the statute's implementing regulations. If the Administration seeks statutory changes to the Clean Water Act, a proposal must be submitted to Congress for legislative action. If the Administration seeks to make regulatory changes, a notice and comment rulemaking is required.

We are very concerned by the action contemplated by the Agencies, and we strongly urge you to reconsider the proposed "Guidance."

Thank you for your attention to this matter.

Sincerely,



Bob Gibbs
Member of Congress



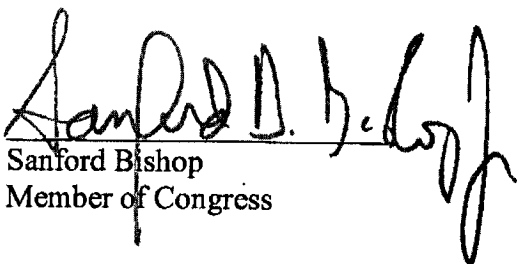
Tim Holden
Member of Congress



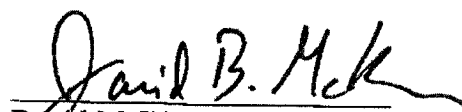
John Mica
Member of Congress



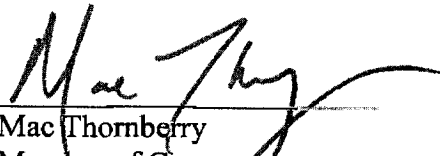
Nick Rahall
Member of Congress




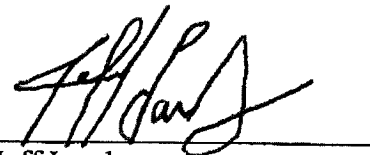
Sanford Bishop
Member of Congress

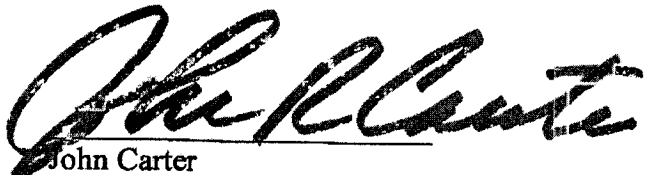



David McKinley
Member of Congress

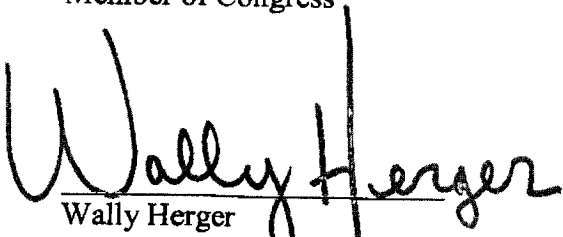

 Mac Thornberry
 Member of Congress

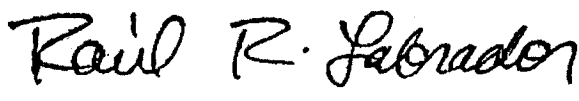

 Walter Jones
 Member of Congress

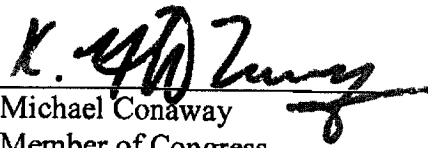

 Jeff Landry
 Member of Congress

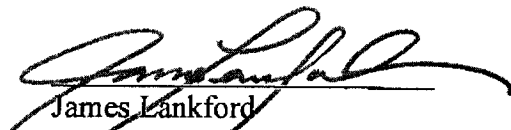

 John Carter
 Member of Congress

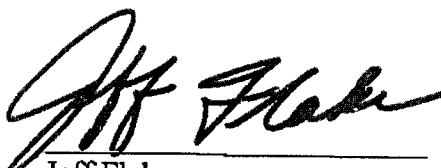

 Pete Olson
 Member of Congress


 Wally Herger
 Member of Congress

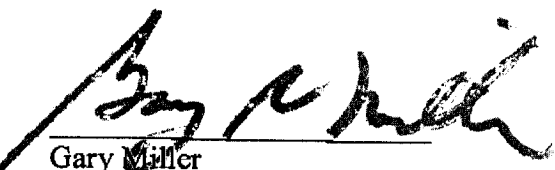

 Raúl Labrador
 Member of Congress



 Michael Conaway
 Member of Congress


 James Lankford
 Member of Congress

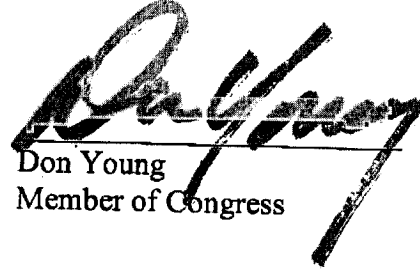

 Jeff Flake
 Member of Congress


 Shelley Moore Capito
 Member of Congress

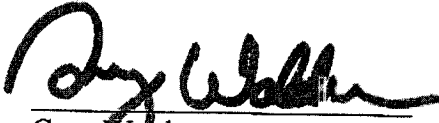

 Gary Miller
 Member of Congress



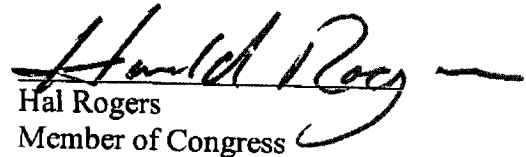
Brett Guthrie
Member of Congress



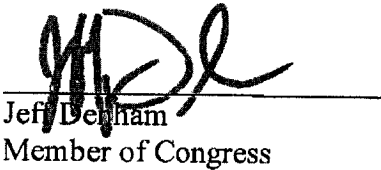
Don Young
Member of Congress



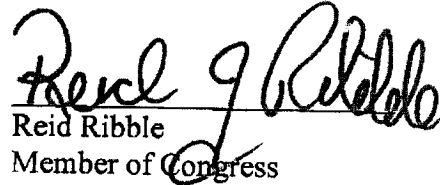
Greg Walden
Member of Congress



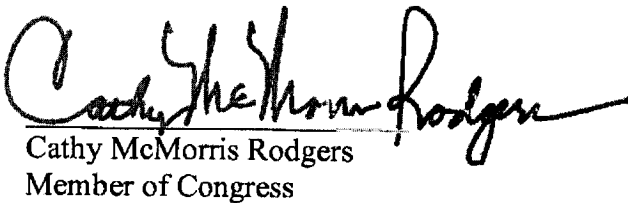
Hal Rogers
Member of Congress



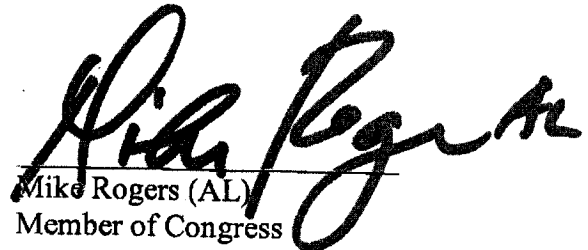
Jeff Denham
Member of Congress



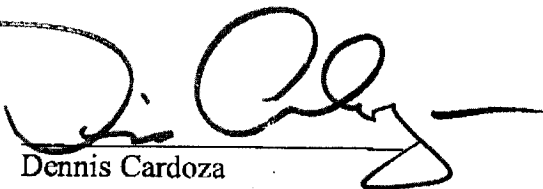
Reid Ribble
Member of Congress



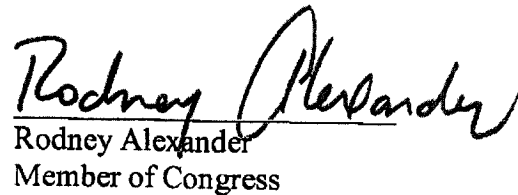
Cathy McMorris Rodgers
Member of Congress



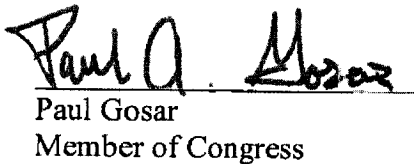
Mike Rogers (AL)
Member of Congress



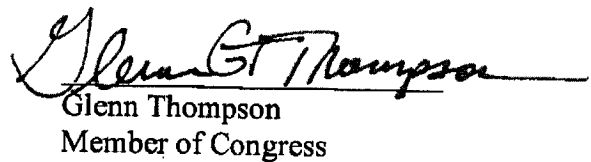
Dennis Cardoza
Member of Congress



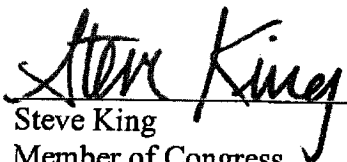
Rodney Alexander
Member of Congress

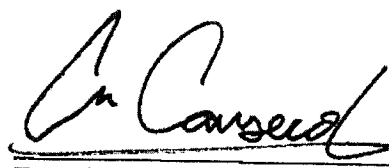



Paul Gosar
Member of Congress




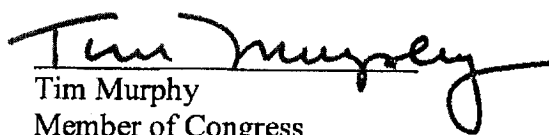
Glenn Thompson
Member of Congress

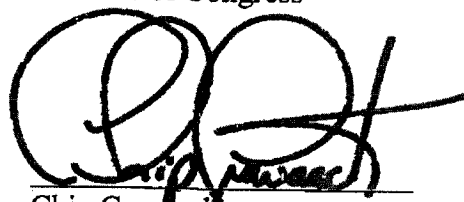

Steve King
Member of Congress



Francisco Canseco
Member of Congress

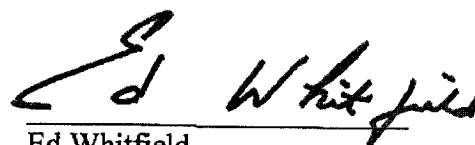

Sam Graves
Member of Congress

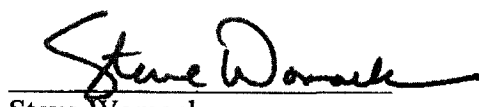

Bill Shuster
Member of Congress

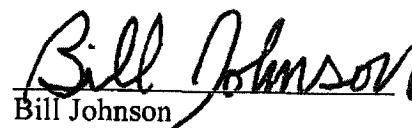

Tim Murphy
Member of Congress

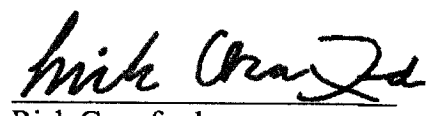

Chip Cravack
Member of Congress

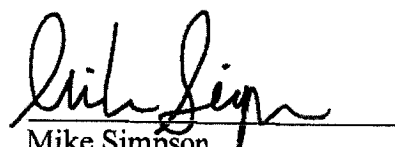

Collin Peterson
Member of Congress


Ed Whitfield
Member of Congress


Steve Womack
Member of Congress


Bill Johnson
Member of Congress


Rick Crawford
Member of Congress

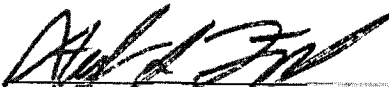

Mike Simpson
Member of Congress



Tom Marino
Member of Congress



Rob Bishop
Member of Congress



Stephen Fincher
Member of Congress



Lynn Westmoreland
Member of Congress



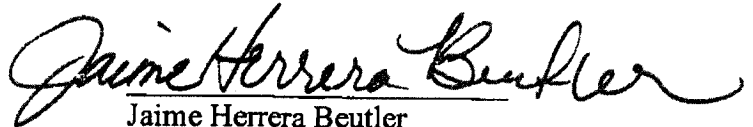
Frank Lucas
Member of Congress



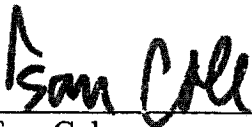
Billy Long
Member of Congress



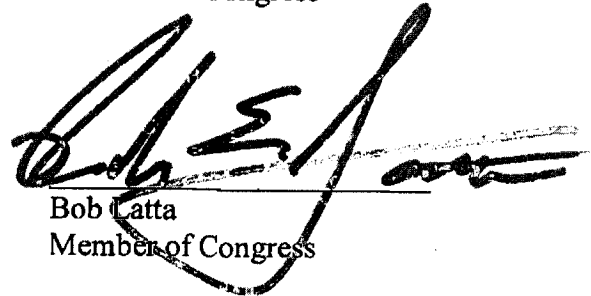
Adam Kinzinger
Member of Congress



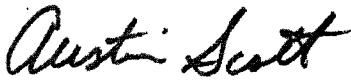
Jaime Herrera Beutler
Member of Congress



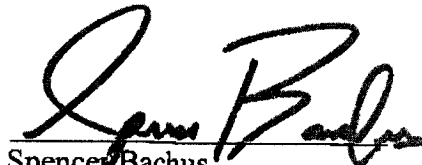
Tom Cole
Member of Congress



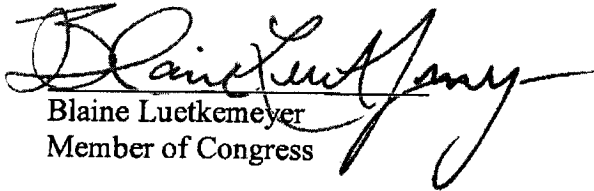
Bob Latta
Member of Congress



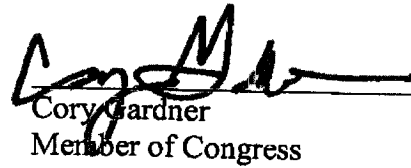
Austin Scott
Member of Congress



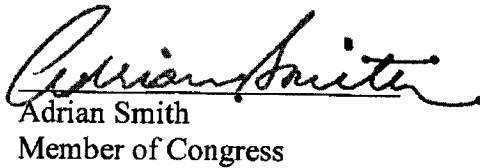
Spencer Bachus
Member of Congress



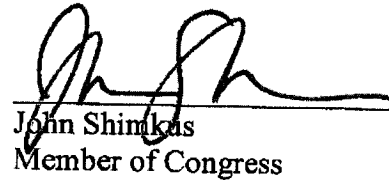
Blaine Luetkemeyer
Member of Congress



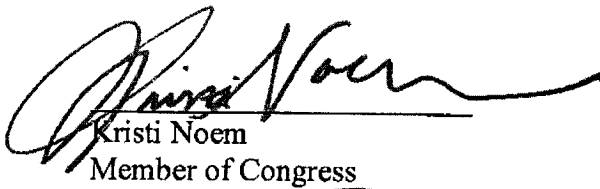
Cory Gardner
Member of Congress



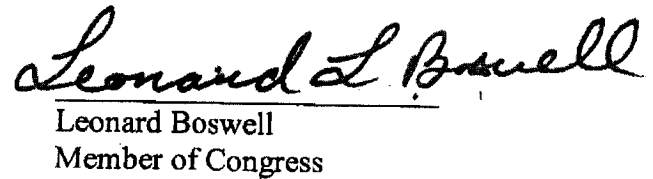
Adrian Smith
Member of Congress



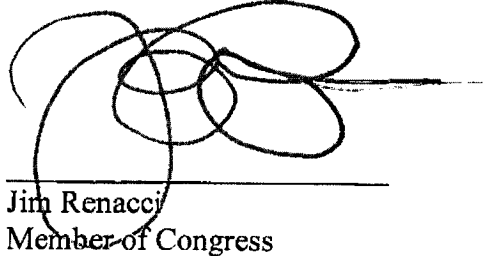
John Shimkus
Member of Congress



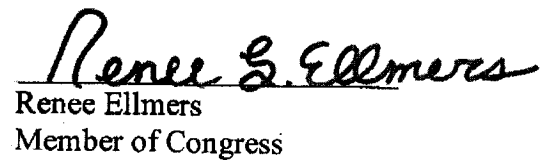
Kristi Noem
Member of Congress



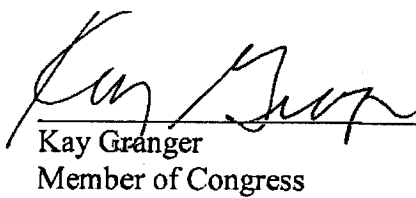
Leonard Boswell
Member of Congress



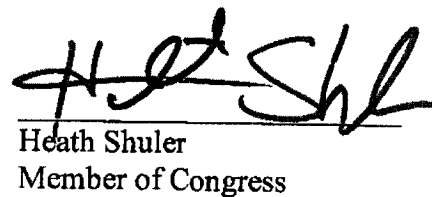
Jim Renacci
Member of Congress



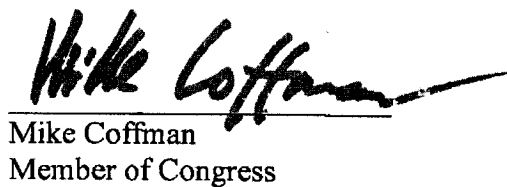
Renee E. Ellmers
Member of Congress



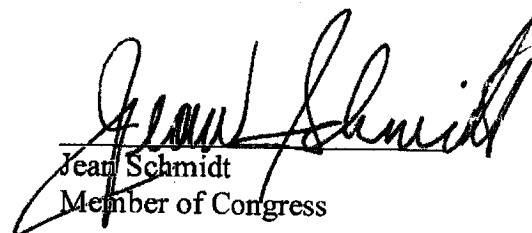
Kay Granger
Member of Congress



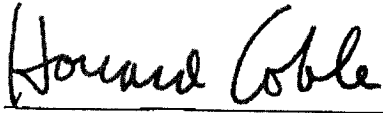
Heath Shuler
Member of Congress



Mike Coffman
Member of Congress



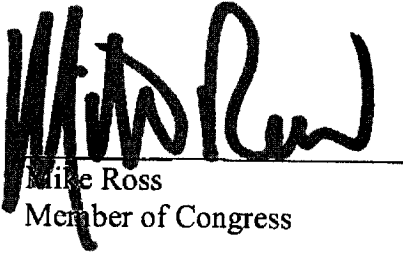
Jean Schmidt
Member of Congress



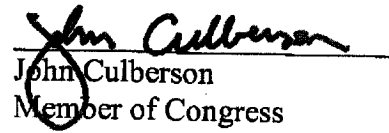
Howard Coble
Member of Congress



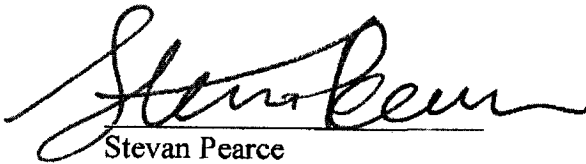
Lou Barletta
Member of Congress



Mike Ross
Member of Congress



John Culberson
Member of Congress



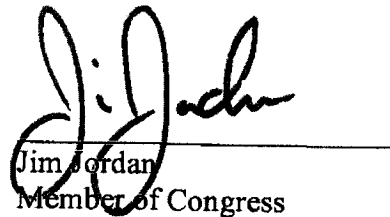
Stevan Pearce
Member of Congress



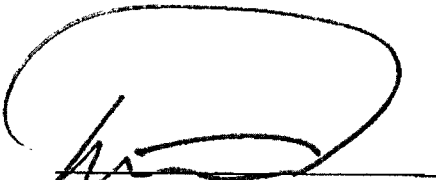
Todd Rokita
Member of Congress



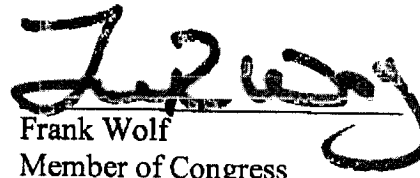
Steve Chabot
Member of Congress



Jim Jordan
Member of Congress



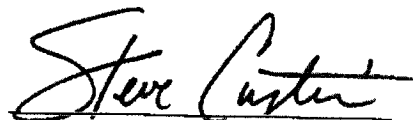
Scott DesJarlais
Member of Congress



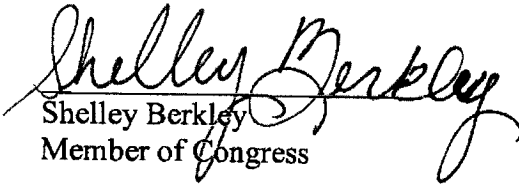
Frank Wolf
Member of Congress

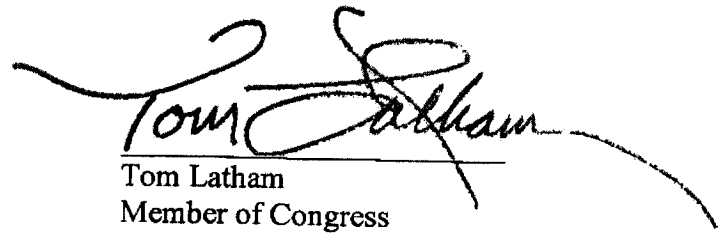


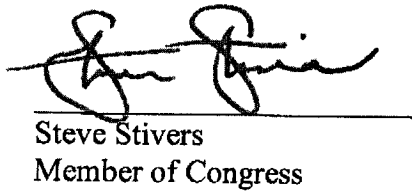
Geoff Davis
Member of Congress

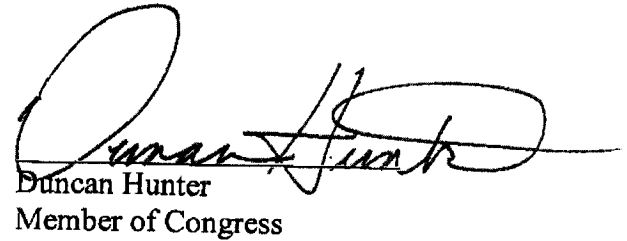


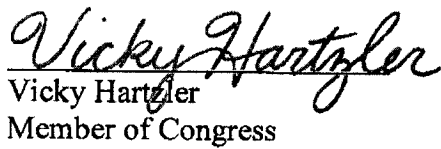
Steve Austria
Member of Congress

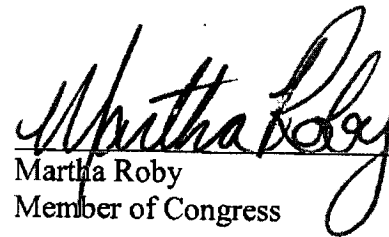

Shelley Berkley
Member of Congress

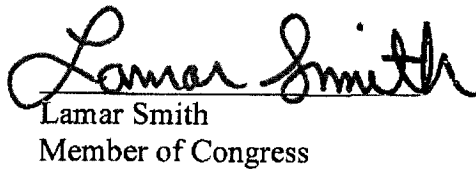

Tom Latham
Member of Congress

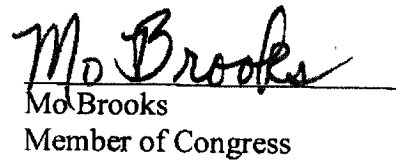

Steve Stivers
Member of Congress

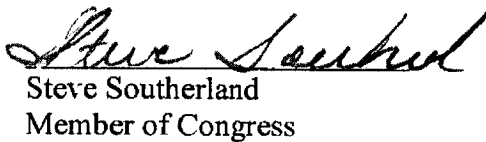

Duncan Hunter
Member of Congress

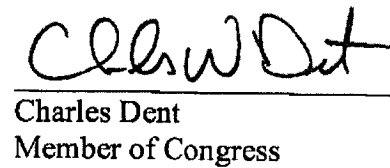

Vicky Hartzler
Member of Congress

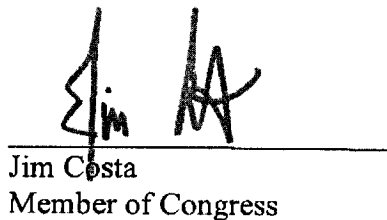

Martha Roby
Member of Congress

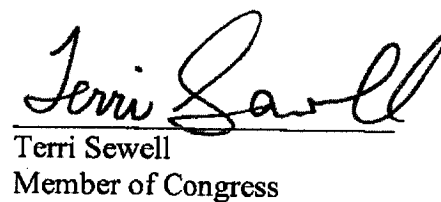

Lamar Smith
Member of Congress

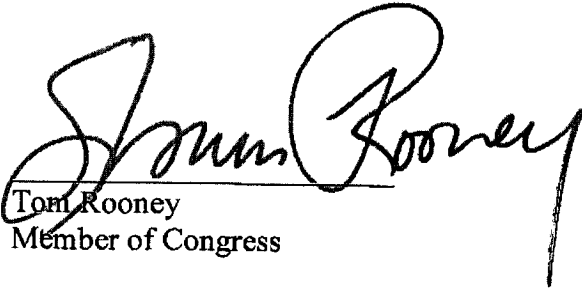

Mo Brooks
Member of Congress


Steve Southerland
Member of Congress

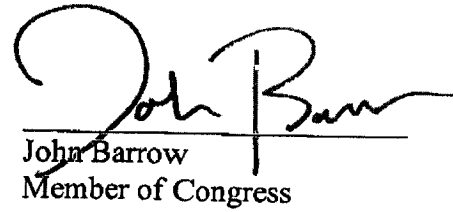

Charles Dent
Member of Congress


Jim Costa
Member of Congress

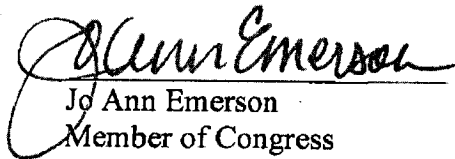

Terri Sewell
Member of Congress



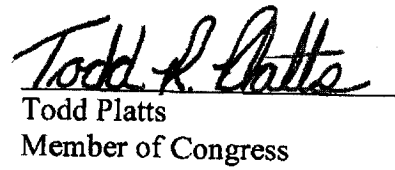
Tom Rooney
Member of Congress



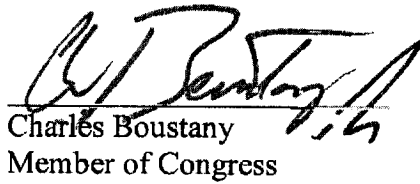
John Barrow
Member of Congress



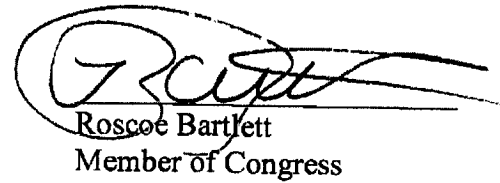
Jo Ann Emerson
Member of Congress



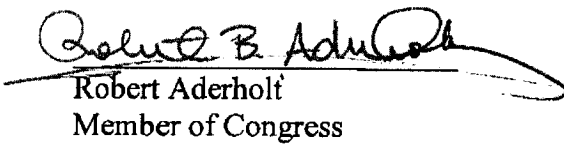
Todd Platts
Member of Congress



Charles Boustany
Member of Congress



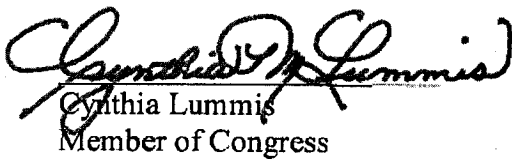
Roscoe Bartlett
Member of Congress



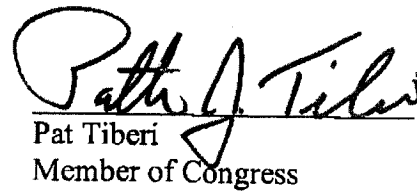
Robert Aderholt
Member of Congress



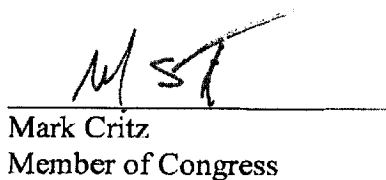
Lynn Jenkins
Member of Congress



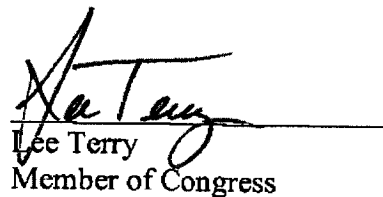
Cynthia Lummis
Member of Congress



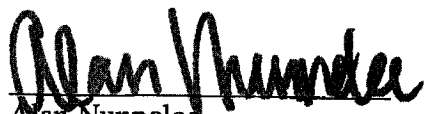
Pat Tiberi
Member of Congress



Mark Critz
Member of Congress



Lee Terry
Member of Congress



Alan Nunnelee
Member of Congress



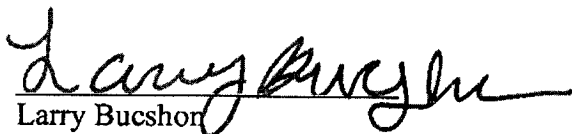
Tim Griffin
Member of Congress



Randy Neugebauer
Member of Congress



Dan Boren
Member of Congress



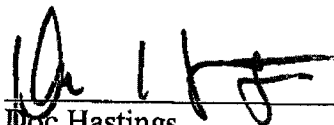
Larry Bucshon
Member of Congress



Devin Nunes
Member of Congress



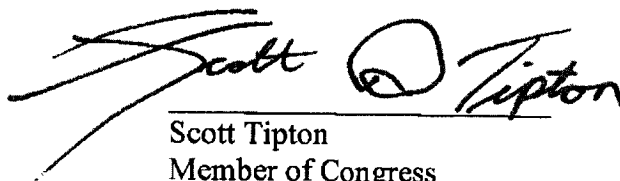
Diane Black
Member of Congress



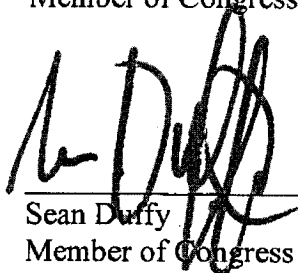
Doc Hastings
Member of Congress



Phil Roe
Member of Congress



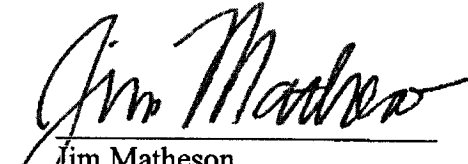
Scott Tipton
Member of Congress





Sean Duffy
Member of Congress

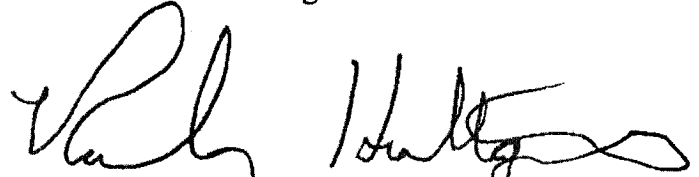



Jason Altmire
Member of Congress



 Jim Matheson
 Member of Congress



 Bobby Schilling
 Member of Congress



 Mike Pompeo
 Member of Congress

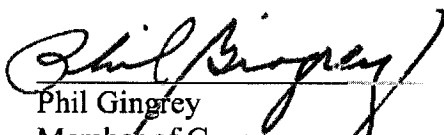

 Randy Hultgren
 Member of Congress



 Chuck Fleischmann
 Member of Congress

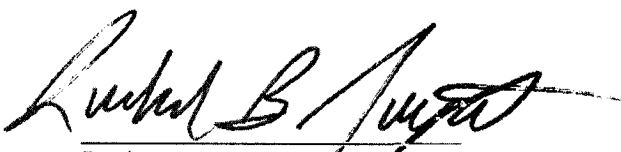

 C.W. Bill Young
 Member of Congress

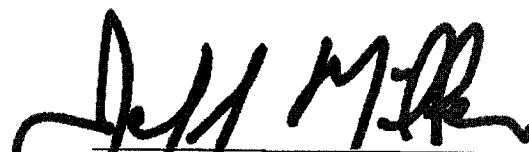

 Steve LaTourette
 Member of Congress

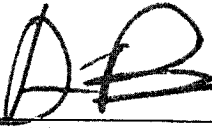

 Tom McClintock
 Member of Congress


 Phil Gingrey
 Member of Congress


 Ben Chandler
 Member of Congress


 Rich Nugent
 Member of Congress


 Jeff Miller
 Member of Congress



David Rivera
Member of Congress



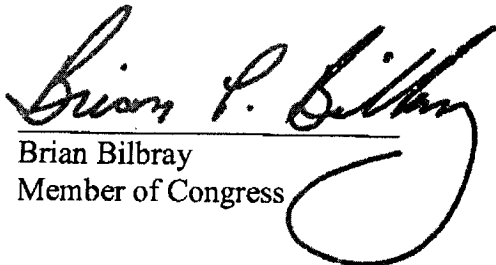
Ileana Ros-Lehtinen
Member of Congress



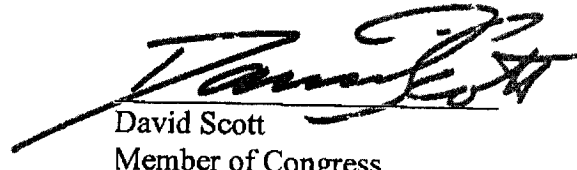
Todd Young
Member of Congress



David Schweikert
Member of Congress



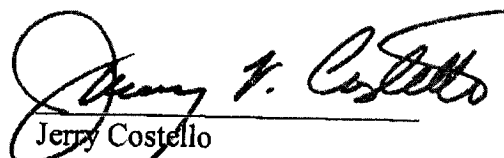
Brian Bilbray
Member of Congress



David Scott
Member of Congress



Doug Lamborn
Member of Congress



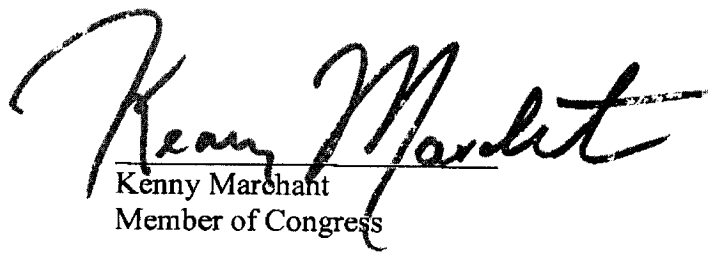
Jerry Costello
Member of Congress



Marsha Blackburn
Member of Congress



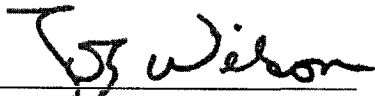
Dean Heller
Member of Congress



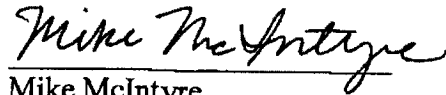
Kenny Marchant
Member of Congress



Ken Calvert
Member of Congress



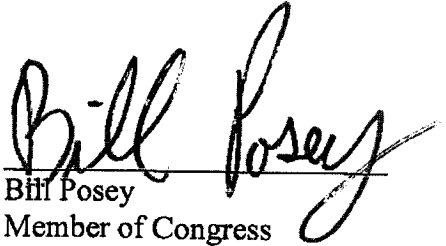
Joe Wilson
Member of Congress



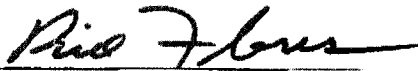
Mike McIntyre
Member of Congress



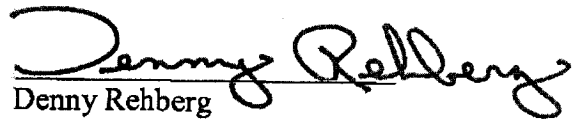
John Sullivan
Member of Congress



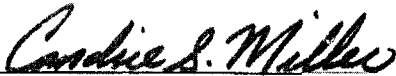
Bill Posey
Member of Congress



Bill Flores
Member of Congress



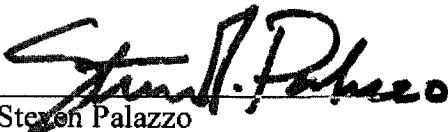
Denny Rehberg
Member of Congress



Candice Miller
Member of Congress



Erik Paulsen
Member of Congress




Steven Palazzo
Member of Congress



Bill Owens
Member of Congress



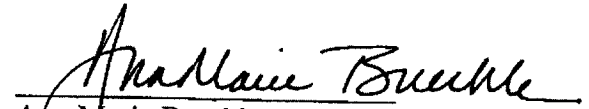
Michael Turner
Member of Congress



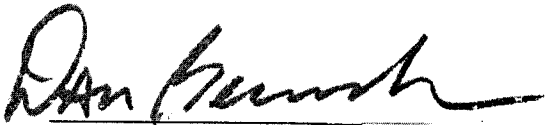
Ralph Hall
Member of Congress



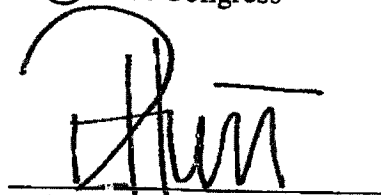
Sandy Adams
Member of Congress



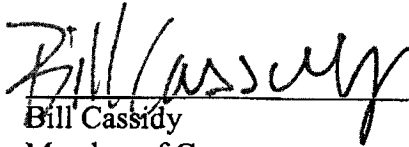
Ann Marie Buerkle
Member of Congress



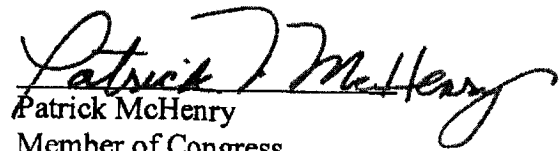
Dan Benishek
Member of Congress



Robert Hurt
Member of Congress



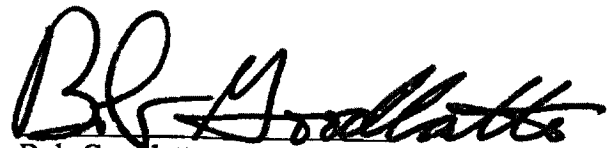
Bill Cassidy
Member of Congress



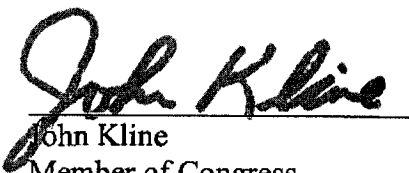
Patrick McHenry
Member of Congress



Aaron Schock
Member of Congress



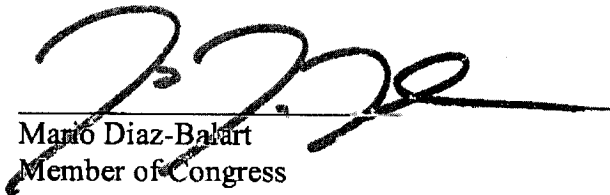
Bob Goodlatte
Member of Congress



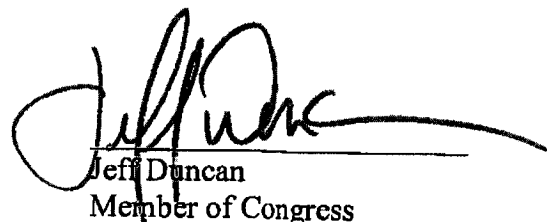
John Kline
Member of Congress



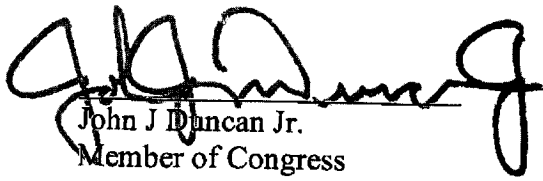
Tom Reed
Member of Congress

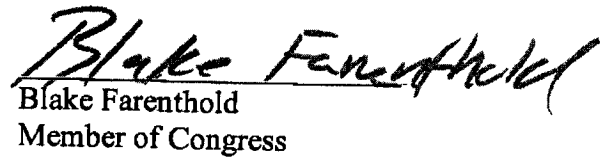


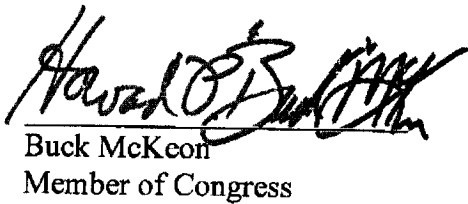
Mario Diaz-Balart
Member of Congress

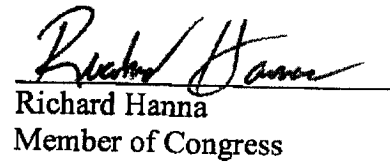


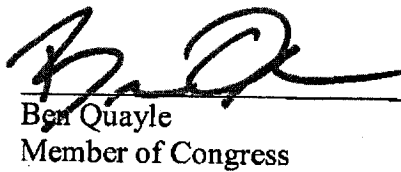
Jeff Duncan
Member of Congress

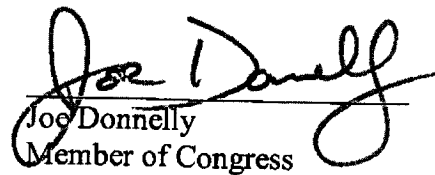

John J. Duncan Jr.
Member of Congress

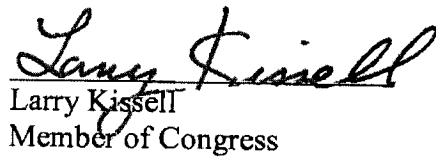

Blake Farenthold
Member of Congress

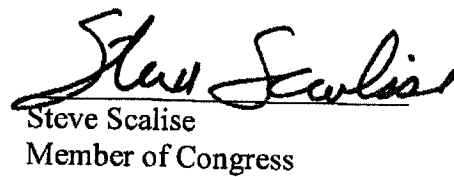

Buck McKeon
Member of Congress


Richard Hanna
Member of Congress


Ben Quayle
Member of Congress


Joe Donnelly
Member of Congress


Larry Kissell
Member of Congress


Steve Scalise
Member of Congress

CC:

Nancy Sutley, Chair, White House Council on Environmental Quality (CEQ)
Cass Sunstein, Administrator, Office of Information and Regulatory Affairs (OIRA), OMB

Congress of the United States

Washington, DC 20515

July 27, 2011

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Administrator Jackson,

We are writing you to express our concerns with the implementation of the Oil Spill Prevention, Control and Countermeasure (SPCC) rule for farmers and ranchers.

As you know, the SPCC regulations would apply to any facility with an above-ground oil storage capacity of at least 1,320 gallons in containers holding more than 55 gallons. We are concerned with current circumstances that we feel are not conducive to effective compliance, or achieving the goal of SPCC regulations.

In order to comply with these guidelines, many farmers and ranchers will need to undertake expensive improvements in infrastructure and must hire engineers to meet specific criteria. At this time, most agriculture producers are hard-pressed to procure the services of Professional Engineers (PEs). Many producers have reported that they are unable to find PEs willing to work on farms. Additionally, some states do not have a single qualified PE registered to provide SPCC consultation. The scarce availability of engineers calls into question the viability of achieving the goal of full compliance by November 2011.

As you have travelled to farms and rural communities in the Mid-south and Midwest, you have seen first-hand the hardship facing farmers due to the devastation wrought by floods and severe weather. Farmers and ranchers are dealing with crop losses to the tune of billions of dollars and have been working around-the-clock to clean up the damage and preserve what little crops they have left. At this time, it is simply not within the means of many farmers to deal with losses while allocating time and money towards complying with SPCC regulations.

Recently, the EPA and the U.S. Army Corps of Engineers released draft guidance that drastically expands the agencies' authority in terms of the waters and wetlands considered "adjacent" to jurisdictional "waters of the United States" under the Clean Water Act. Many farmers and ranchers are worried that this guidance will force compliance with the SPCC, without the necessary time to do so. We believe that producers want to be in compliance, but the delay of assistance documentation has severely constrained their ability to make the necessary preparations.

In addition, the EPA has yet to provide clarification regarding who is responsible for maintaining the plan, as many farms are operated by those who do not own the land. Many farmers and ranchers are also unsure of how the EPA will enforce the rule.

Before moving forward, we ask that you ensure a process free of confusion and overly burdensome rules that might disincentivize SPCC compliance. By nature of occupation, family farmers are already careful stewards of land and water. No one has more at stake than those who work on the ground from which they derive their livelihood. We respectfully request that you reconsider the SPCC implementation deadline, continue to dialogue with the agriculture community and its stakeholders, and ensure that the rule is not overly burdensome or confusing. We believe this would help avoid unintended consequences. We appreciate your attention to this important matter.

Sincerely,



Rick Crawford
Member of Congress



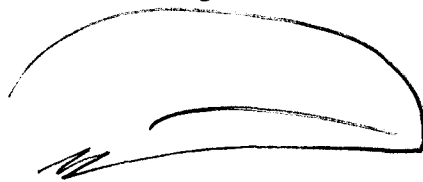
Stephen Fincher
Member of Congress



Steve Womack
Member of Congress



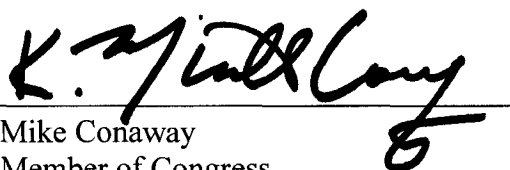
John Carter
Member of Congress



Scott DesJarlais
Member of Congress



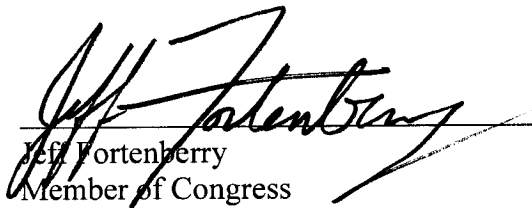
Steven Palazzo
Member of Congress



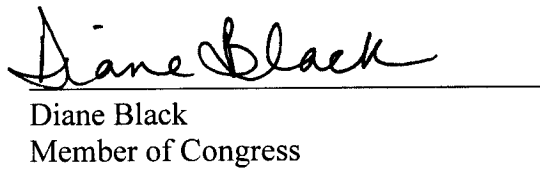
Mike Conaway
Member of Congress

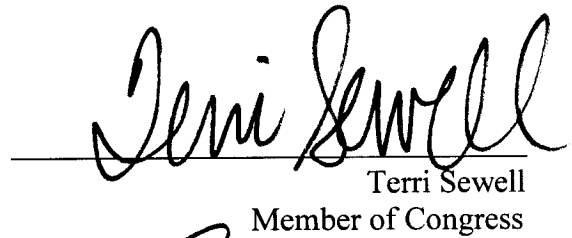


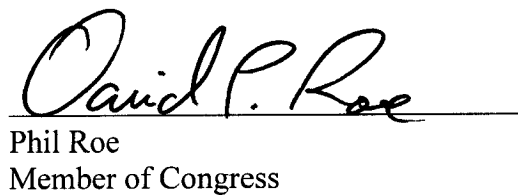
Brett Guthrie
Member of Congress

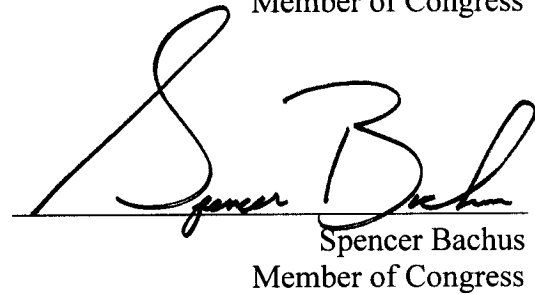

Jeff Fortenberry
Member of Congress


Walter Jones
Member of Congress


Diane Black
Member of Congress

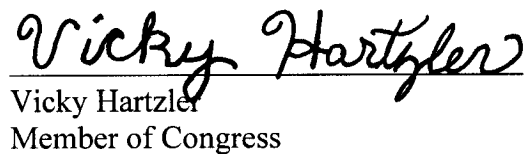

Terri Sewell
Member of Congress


Phil Roe
Member of Congress


Spencer Bachus
Member of Congress

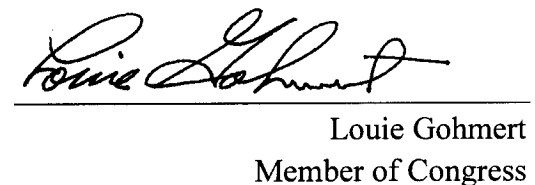

John Fleming
Member of Congress

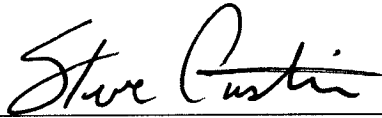

Marsha Blackburn
Member of Congress


Vicky Hartzler
Member of Congress

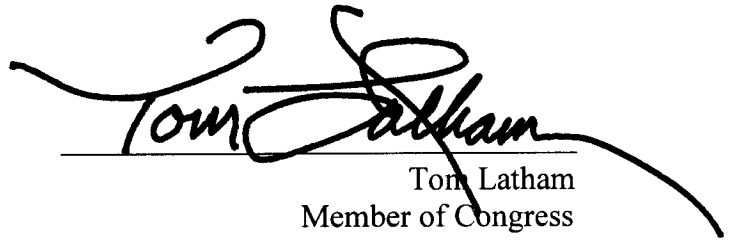

Cory Gardner
Member of Congress


Steve King
Member of Congress

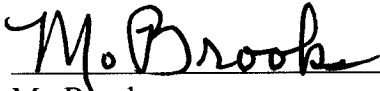

Louie Gohmert
Member of Congress



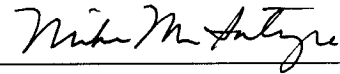
Steve Austria
Member of Congress



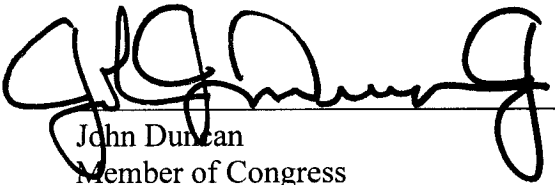
Tom Latham
Member of Congress



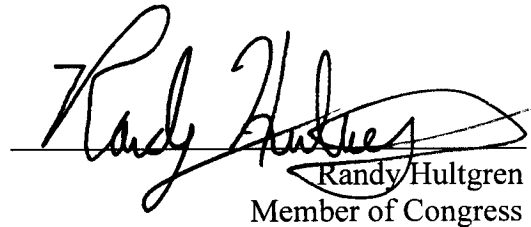
Mo Brooks
Member of Congress



Mike McIntyre
Member of Congress



John Duncan
Member of Congress



Randy Hultgren
Member of Congress



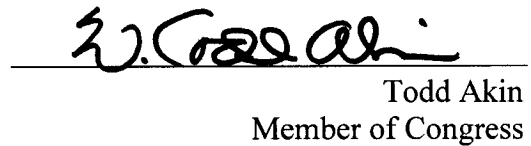
Candice Miller
Member of Congress



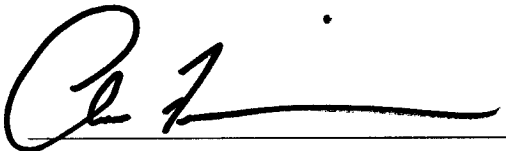
Lynn Jenkins
Member of Congress



Francisco "Quico" Canseco
Member of Congress



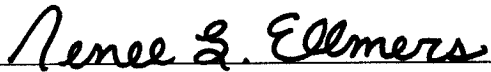
Todd Akin
Member of Congress



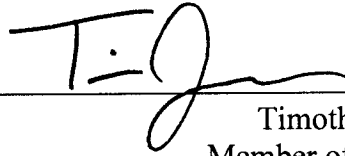
Charles Fleischmann
Member of Congress



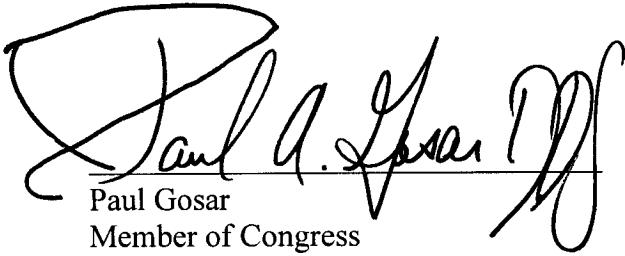
Bill Flores
Member of Congress



Renee Ellmers
Member of Congress



Timothy Johnson
Member of Congress



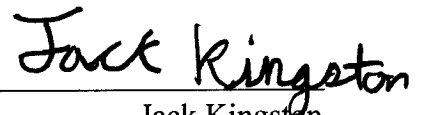
Paul Gosar
Member of Congress



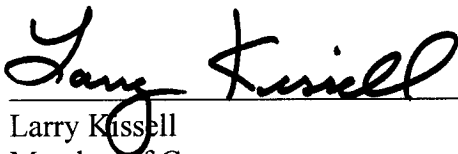
Austin Scott
Member of Congress



Jim Costa
Member of Congress



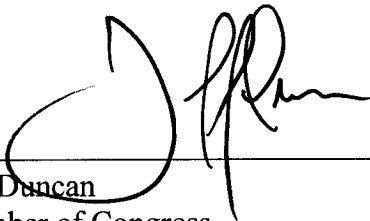
Jack Kingston
Member of Congress



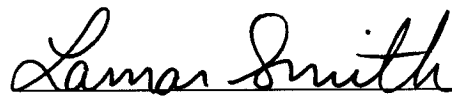
Larry Kissell
Member of Congress



Glenn Thompson
Member of Congress



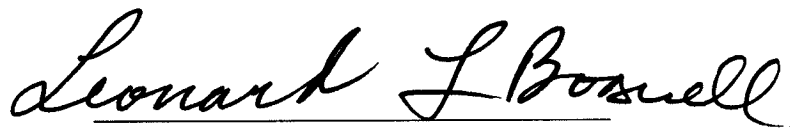
Jeff Duncan
Member of Congress



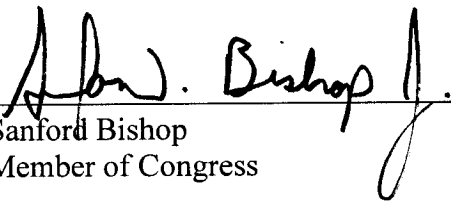
Lamar Smith
Member of Congress

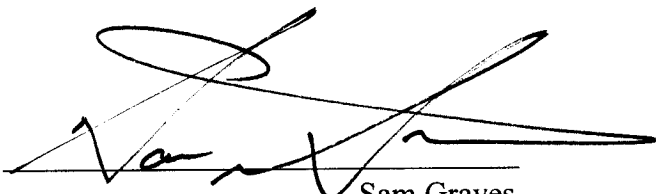


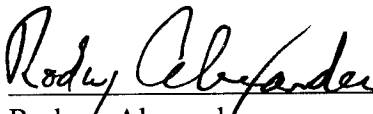
Richard Hanna
Member of Congress



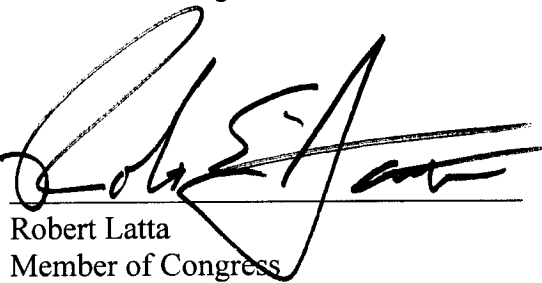
Leonard Boswell
Member of Congress

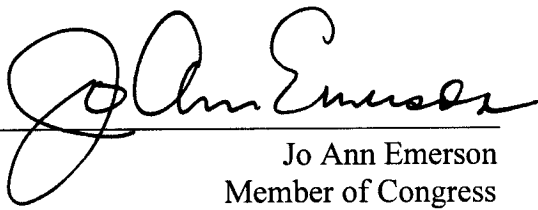

Sanford Bishop
Member of Congress

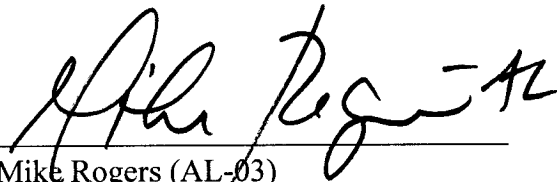

Sam Graves
Member of Congress


Rodney Alexander
Member of Congress

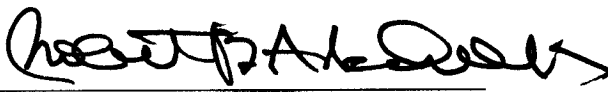

Pete Olson
Member of Congress

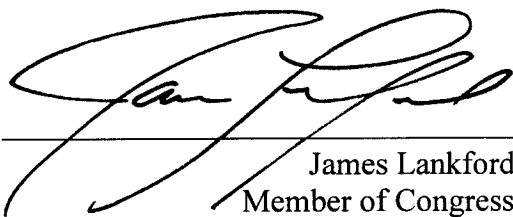

Robert Latta
Member of Congress



Jo Ann Emerson
Member of Congress

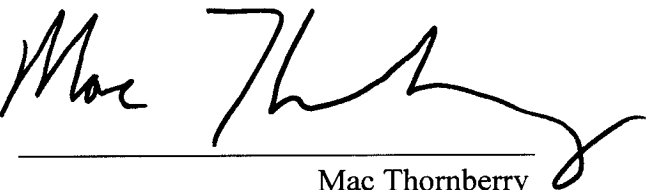

Mike Rogers (AL-03)
Member of Congress


Jo Bonner
Member of Congress


Robert Adenholt
Member of Congress

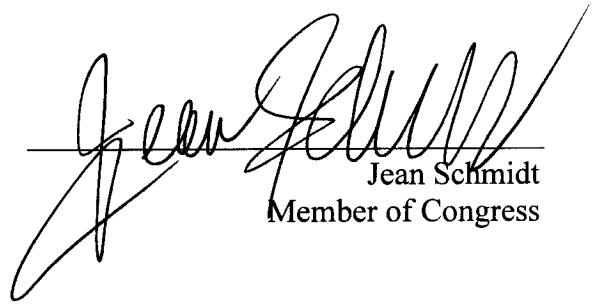

James Lankford
Member of Congress


Alan Nunnelee
Member of Congress

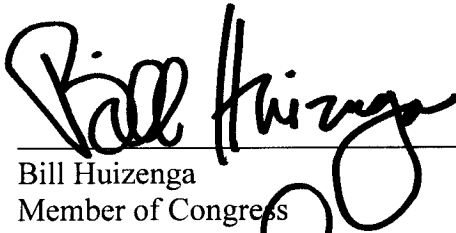

Mac Thornberry
Member of Congress



Kevin Brady
Member of Congress



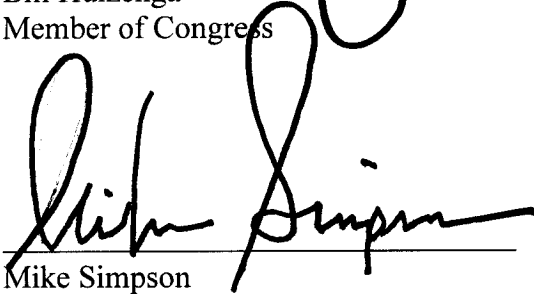
Jean Schmidt
Member of Congress



Bill Huizenga
Member of Congress



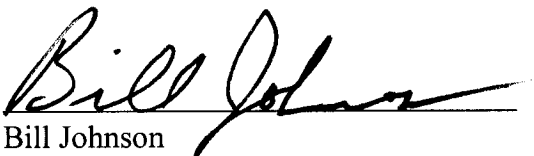
Marlin Stutzman
Member of Congress



Mike Simpson
Member of Congress



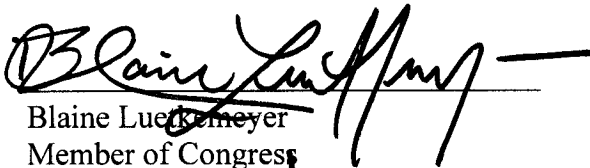
Lynn Westmoreland
Member of Congress



Bill Johnson
Member of Congress



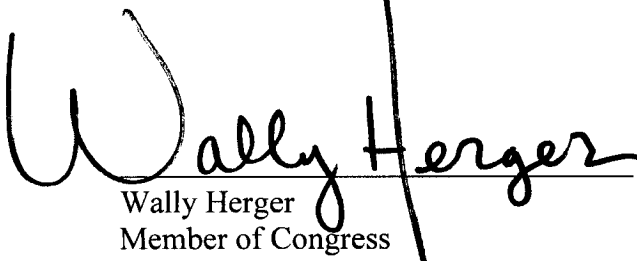
Reid Ribble
Member of Congress



Blaine Luetkemeyer
Member of Congress



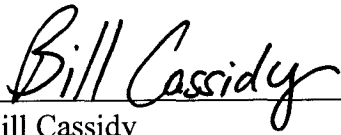
Ted Poe
Member of Congress



Wally Herger
Member of Congress



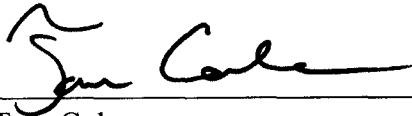
Michele Bachmann
Member of Congress



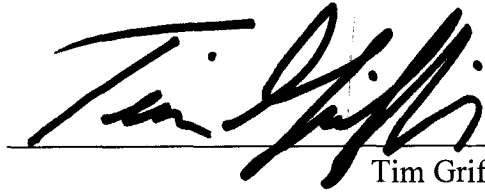
Bill Cassidy
Member of Congress



Billy Long
Member of Congress



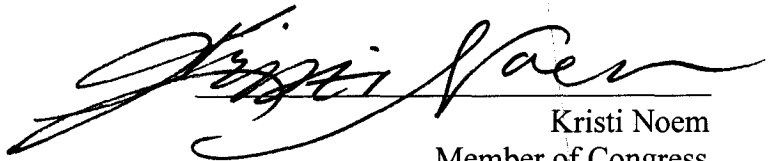
Tom Cole
Member of Congress



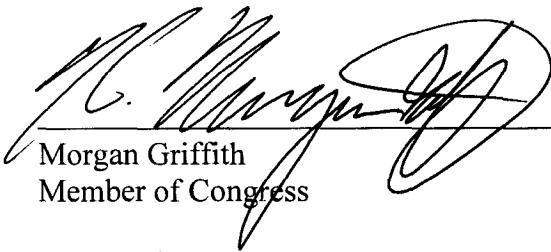
Tim Griffin
Member of Congress



Tim Huelskamp
Member of Congress



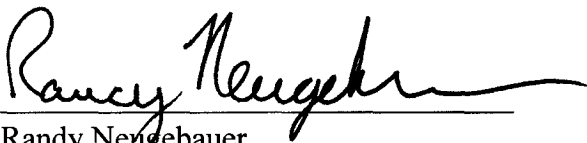
Kristi Noem
Member of Congress



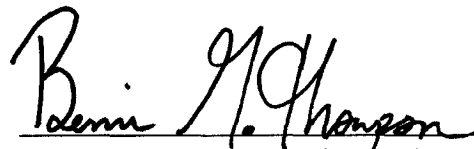
Morgan Griffith
Member of Congress



Mike Ross
Member of Congress



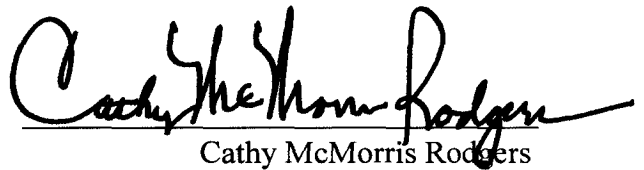
Randy Neugebauer
Member of Congress



Bennie G. Thompson
Member of Congress

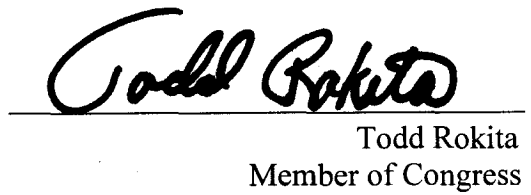


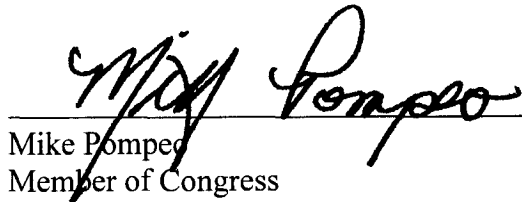
Jeff Denham
Member of Congress



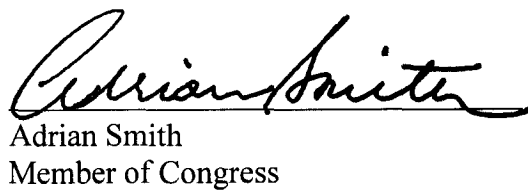
Cathy McMorris Rodgers
Member of Congress

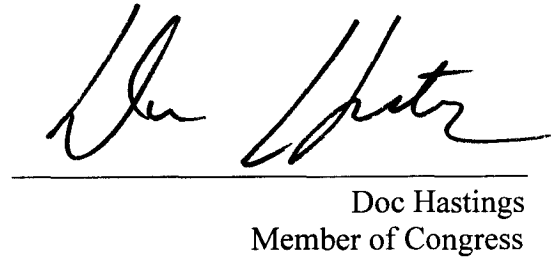

Martha Roby
Member of Congress

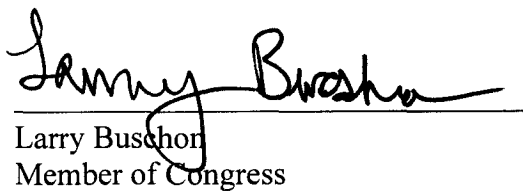

Todd Rokita
Member of Congress


Mike Pompeo
Member of Congress

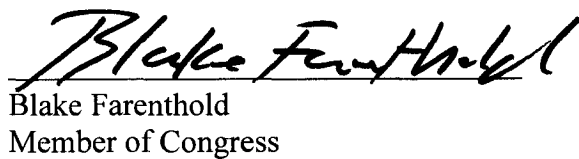

Phil Gingrey
Member of Congress


Adrian Smith
Member of Congress

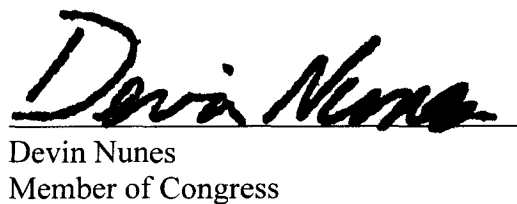

Doc Hastings
Member of Congress


Larry Busch
Member of Congress

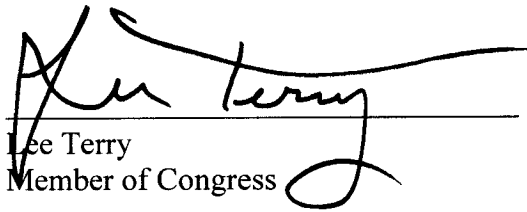

Scott Garrett
Member of Congress


Blake Farenthold
Member of Congress


Thomas Petri
Member of Congress


Devin Nunes
Member of Congress

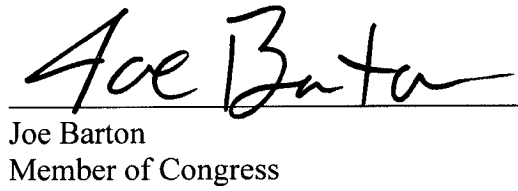

Howard Coble
Member of Congress



Lee Terry
Member of Congress



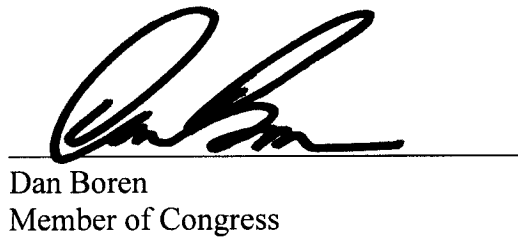
Dan Burton
Member of Congress



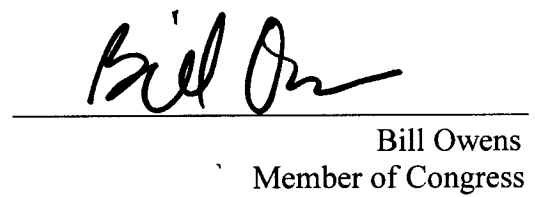
Joe Barton
Member of Congress



Randy Forbes
Member of Congress



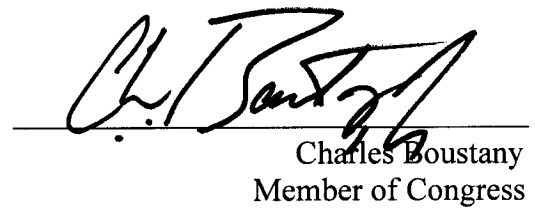
Dan Boren
Member of Congress



Bill Owens
Member of Congress



Ann Marie Buerkle
Member of Congress



Charles Boustany
Member of Congress



Steve Southerland
Member of Congress

Congress of the United States
House of Representatives

Washington, DC 20515

August 1, 2012

Administrator Lisa P. Jackson
U.S. Environmental Protection Agency
Room 300, Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator Jackson:

As serious drought conditions continue moving across nearly two-thirds of the country, we are at a critical juncture where federal policy meets real world realities. Because of these extreme weather conditions, corn prices are spiking and some analysts are predicting that the U.S. may experience a corn shortage this summer. Relief from the Renewable Fuels Standard (RFS) is extremely urgent because another short corn crop would be devastating to the animal agriculture industry, food manufacturers, foodservice providers, as well as to consumers. We urge you to adjust the RFS mandate for 2012 to account for the anticipated severe shortage in corn.

When Congress enacted the expanded RFS in the Energy Independence and Security Act of 2007 (EISA), the structure was complex. Given the 15 year statutory schedule imposed by the law -- including the specification of four different fuel mandates, each with a separate schedule -- Congress also wanted to ensure that certain "safety valves" for the RFS would be available. Thus, EISA retained and expanded Clean Air Act (CAA) section 211(o) (7). Among other provisions, CAA section 211(o)(7) allows the Administrator of the EPA to reduce the required volume of renewable fuel in any year based on severe harm to the economy or environment of a state, a region or the United States, or in the event of inadequate domestic supply of renewable fuel.

The waiver provisions in CAA section 211(o) (7) are an important part of Congress' intended implementation of the RFS. They help ensure that the domestic economy and environment are protected as we ramp up production and use of renewable fuels and move to broader use of advanced biofuels. Clearly, the Congress in 2007 anticipated that unforeseen circumstances would require the Environmental Protection Agency (EPA) to exercise flexibility with the RFS. We believe that the current weather situation in the United States calls for exactly the kind of flexibility that was envisioned.

One of the nation's worst droughts in fifty years has hit the Midwest especially hard at a very sensitive time for the U.S. grain crops. Earlier this month, the United States Department of Agriculture in its monthly World Agriculture Supply & Demand Estimates (WASDE), announced the largest decline in month-to-month potential yield for corn in its history.

Currently, only about 31 percent of the corn crop is in "good" or "excellent" condition, representing record lows. While improved weather over the coming weeks may increase yields, much of the damage has already been done. There is not time to replant or find new corn stocks, making it necessary for the government to manage this severe situation.

As a result of these deteriorating conditions, corn prices have risen dramatically over the past few weeks and are likely to remain at record highs. This means literally billions of dollars in increased costs for livestock and poultry producers, and food manufacturers. These dramatic increases put food processing jobs at risk and could cost many family farmers their livelihoods. It is also worth noting that high corn prices have forced some ethanol producers to idle or shutter their plants, costing jobs. Although consumers may not feel the impacts of these increased costs right away, the inevitable result will be more expensive food for Americans and consumers around the world.

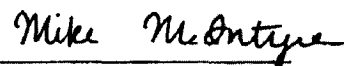
As you are aware, U.S. corn prices have consistently risen, and the corn market has been increasingly volatile, since the expansion of the RFS in 2007. This reflects the reality that approximately 40 percent of the corn crop now goes into ethanol production, a dramatic rise since the first ethanol mandates were put into place in 2005. Ethanol now consumes more corn than animal agriculture, a fact directly attributable to the federal mandate. While the government cannot control the weather, it fortunately has one tool still available that can directly impact corn demand. By adjusting the normally rigid Renewable Fuel Standard mandate down to align with current market conditions, the federal government can help avoid a dangerous economic situation because of the prolonged record high cost of corn.

We therefore urge the EPA to consider a fair and meaningful nationwide adjustment to the Renewable Fuels Standard. Prompt action by the EPA can help to ease short supply concerns, literally save jobs across many U.S. industries, and keep families fed. We strongly urge you to exercise your authority and take the necessary steps to protect American consumers and the economy. Thank you for your immediate consideration of this request.

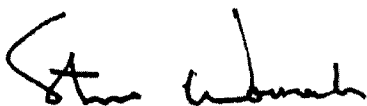
Sincerely,



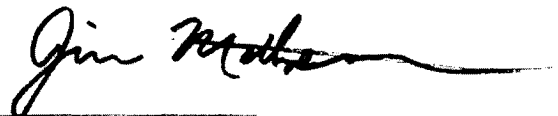
Bob Goodlatte
Member of Congress




Mike McIntyre
Member of Congress




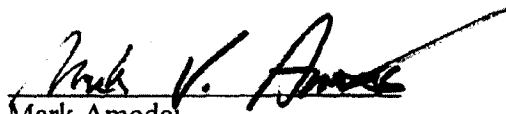
Steve Womack
Member of Congress



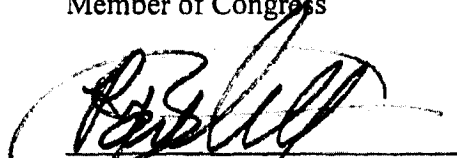
Jim Matheson
Member of Congress

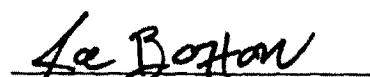

Sandy Adams
Member of Congress

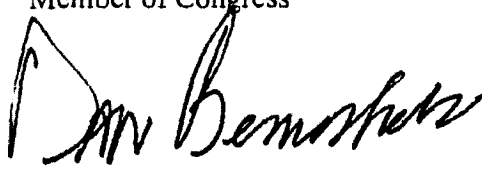

Robert Aderholt
Member of Congress



Mark Amodei
Member of Congress

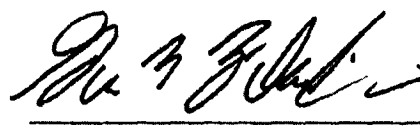

John Barrow
Member of Congress

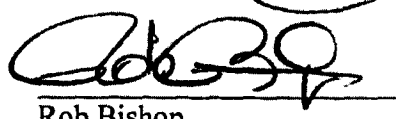

Roscoe Bartlett
Member of Congress

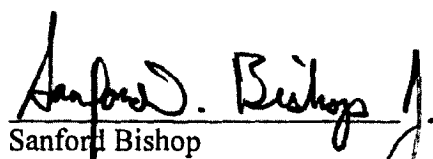

Joe Barton
Member of Congress

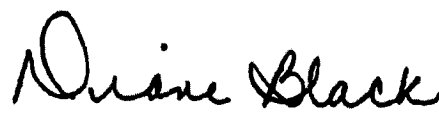

Dan Benishek
Member of Congress



Brian Bilbray
Member of Congress



Gus Bilirakis
Member of Congress

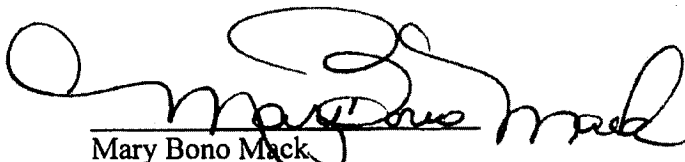

Rob Bishop
Member of Congress



Sanford Bishop
Member of Congress

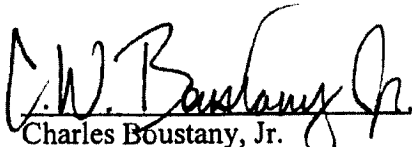

Diane Black
Member of Congress

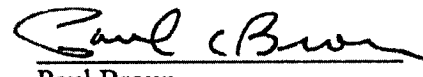

Marsha Blackburn
Member of Congress

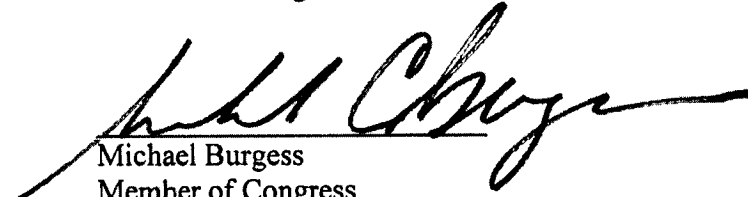

Jo Bonner
Member of Congress

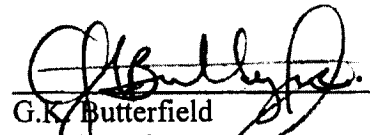

Mary Bono Mack
Member of Congress



Dan Boren
Member of Congress

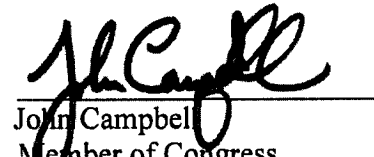

Charles Boustany, Jr.
Member of Congress



Paul Broun
Member of Congress



Michael Burgess
Member of Congress

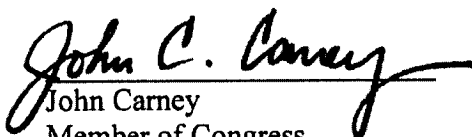

G.K. Butterfield
Member of Congress

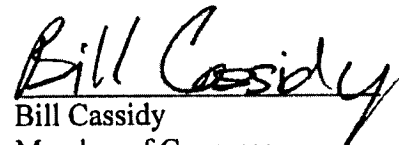

Ken Calvert
Member of Congress


John Campbell
Member of Congress



Francisco Canseco
Member of Congress

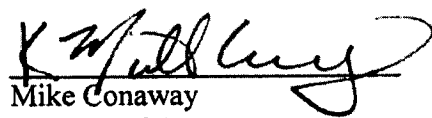

Shelley Moore Capito
Member of Congress

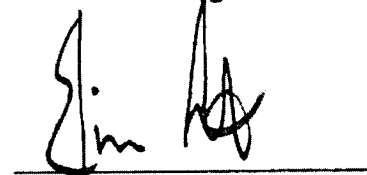

John Carney
Member of Congress

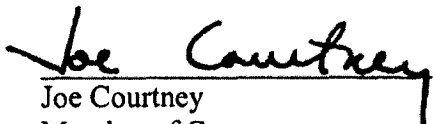

Bill Cassidy
Member of Congress



Jason Chaffetz
Member of Congress

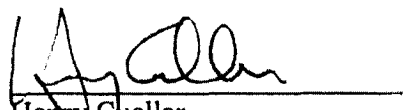

Tom Cole
Member of Congress

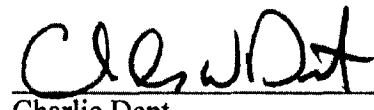

Mike Conaway
Member of Congress

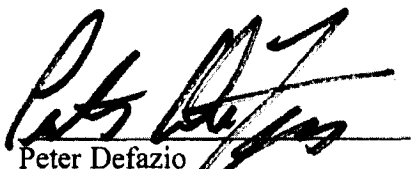

Jim Costa
Member of Congress



Joe Courtney
Member of Congress

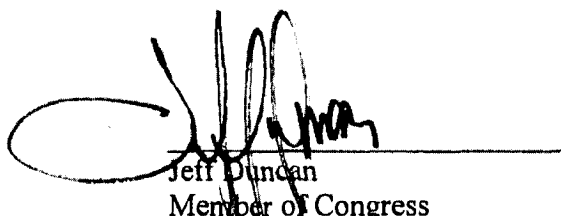

Rick Crawford
Member of Congress

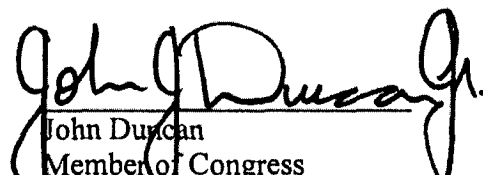

Henry Cuellar
Member of Congress



Charlie Dent
Member of Congress

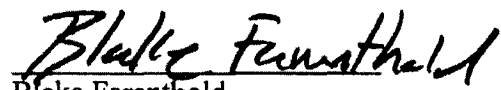

Peter Defazio
Member of Congress



Mario Diaz-Balart
Member of Congress

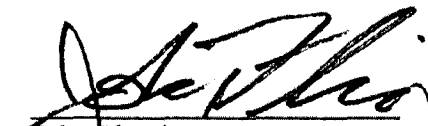

Jeff Duncan
Member of Congress

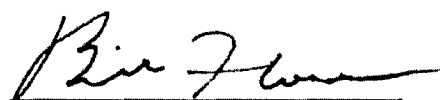

John Duncan
Member of Congress

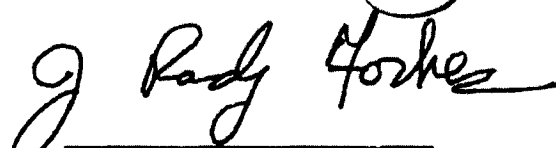

Renee Ellmers
Member of Congress


Blake Farenthold
Member of Congress


Jeff Flake
Member of Congress


John Fleming
Member of Congress


Bill Flores
Member of Congress


Randy Forbes
Member of Congress

Virginia Foxx

Virginia Foxx
Member of Congress

Trent Franks

Trent Franks
Member of Congress

Elton Gallegly

Elton Gallegly
Member of Congress

John Garamendi

John Garamendi
Member of Congress

Chris Gibson

Chris Gibson
Member of Congress

Phil Gingrey

Phil Gingrey
Member of Congress

Louie Gohmert

Louie Gohmert
Member of Congress

Paul Gosar

Paul Gosar
Member of Congress

Kay Granger

Kay Granger
Member of Congress

Tom Graves

Tom Graves
Member of Congress

Tim Griffin

Tim Griffin
Member of Congress

H. Morgan Griffith

H. Morgan Griffith
Member of Congress

Ralph Hall

Ralph Hall
Member of Congress

Gregg Harper

Gregg Harper
Member of Congress



Andy Harris
Member of Congress



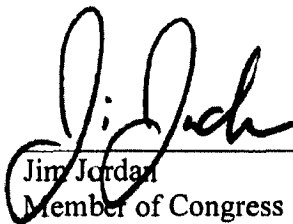
Tim Holden
Member of Congress



Darrell Issa
Member of Congress



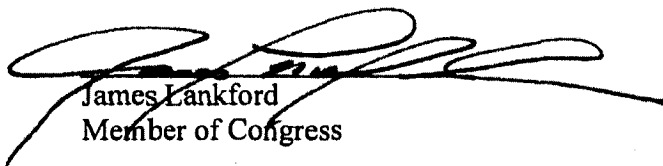
Sam Johnson
Member of Congress



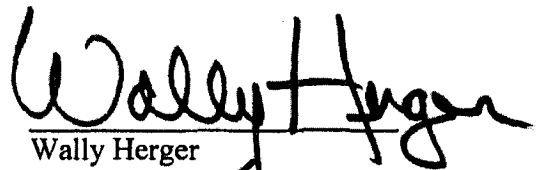
Jim Jordan
Member of Congress



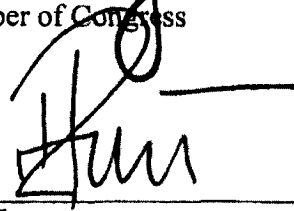
Larry Kissell
Member of Congress



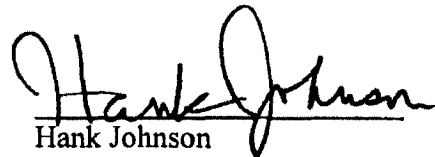
James Lankford
Member of Congress



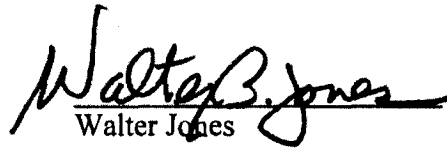
Wally Herger
Member of Congress



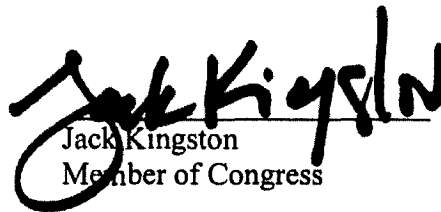
Rob Hurt
Member of Congress



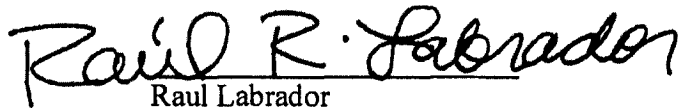
Hank Johnson
Member of Congress



Walter Jones
Member of Congress



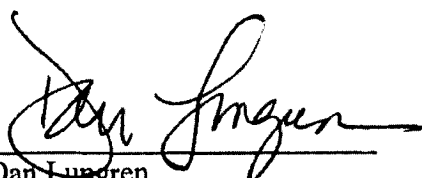
Jack Kingston
Member of Congress





Raul Labrador
Member of Congress




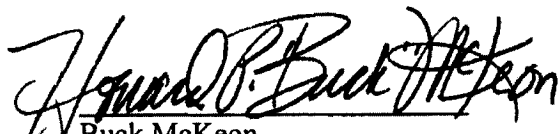
Billy Long
Member of Congress



Dan Lungren
Member of Congress



Tom Marino
Member of Congress

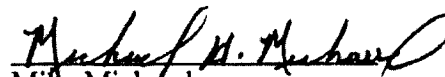

Kevin McCarthy
Member of Congress



Tom McClintock
Member of Congress

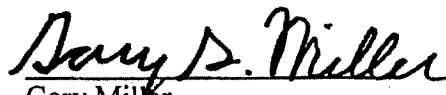

Buck McKeon
Member of Congress

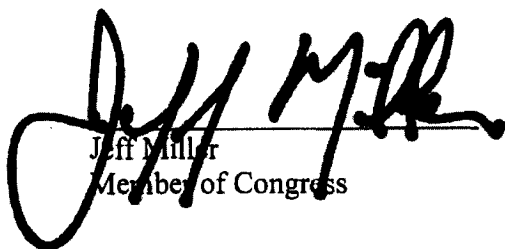

Cathy McMorris Rodgers
Member of Congress

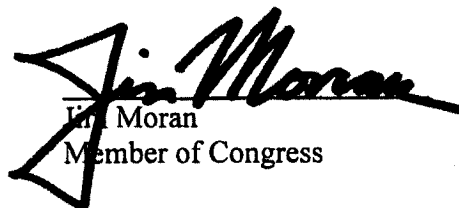

Pat Meehan
Member of Congress

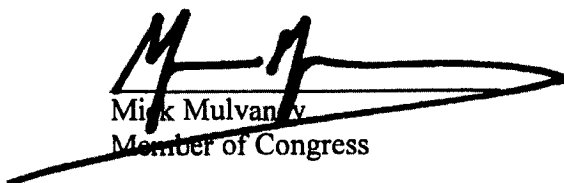

Mike Michaud
Member of Congress

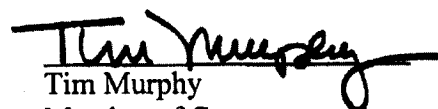

Brad Miller
Member of Congress


Gary Miller
Member of Congress


Jeff Miller
Member of Congress


Jim Moran
Member of Congress


Mick Mulvaney
Member of Congress


Tim Murphy
Member of Congress



Sue Myrick
Member of Congress



Randy Neugebauer
Member of Congress



Devin Nunes
Member of Congress



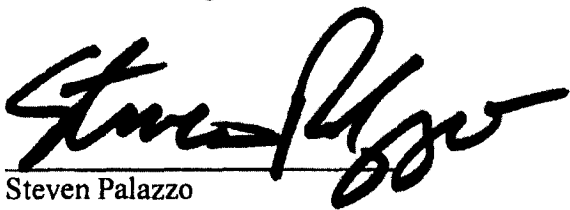
Alan Nunnelee
Member of Congress



Pete Olson
Member of Congress



Bill Owens
Member of Congress



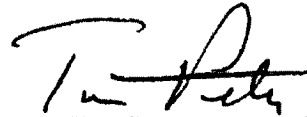
Steven Palazzo
Member of Congress



Ron Paul
Member of Congress



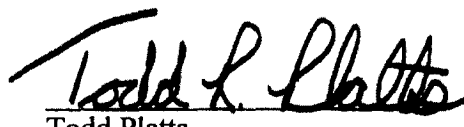
Steve Pearce
Member of Congress



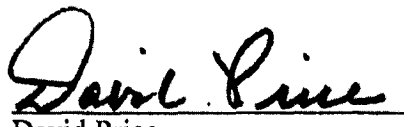
Tom Petri
Member of Congress



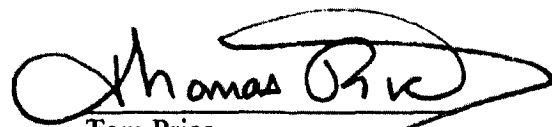
Joe Pitts
Member of Congress



Todd Platts
Member of Congress



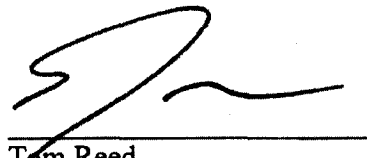
David Price
Member of Congress



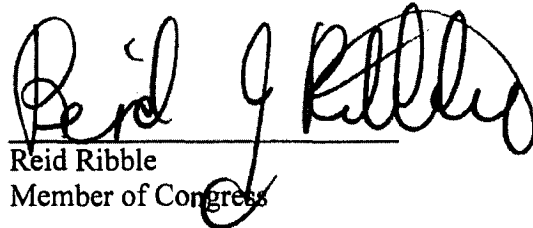
Tom Price
Member of Congress



Ted Poe
Member of Congress



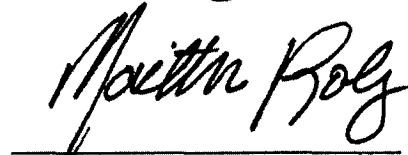
Tom Reed
Member of Congress



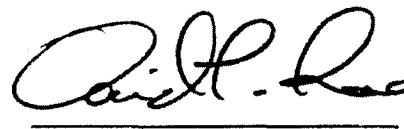
Reid Ribble
Member of Congress



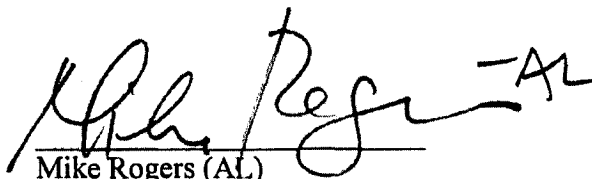
Scott Rigell
Member of Congress



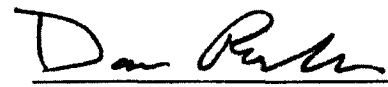
Martha Roby
Member of Congress




Phil Roe
Member of Congress



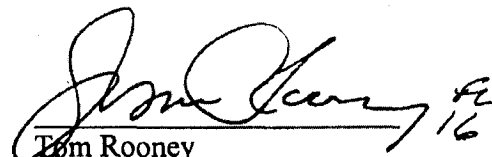
Mike Rogers (AL)
Member of Congress



Dana Rohrabacher
Member of Congress



Todd Rokita
Member of Congress



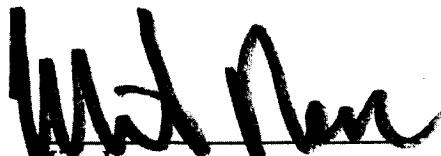
Tom Rooney
Member of Congress



Peter Roskam
Member of Congress



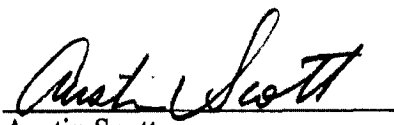
Dennis Ross
Member of Congress



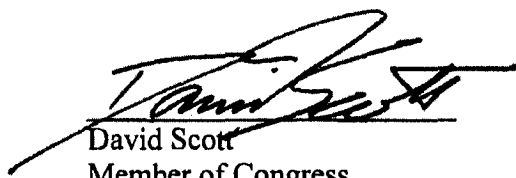
Mike Ross
Member of Congress



Ed Royce
Member of Congress



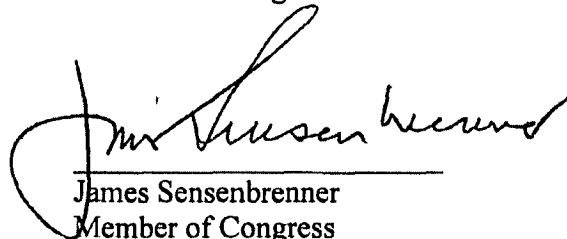
Austin Scott
Member of Congress



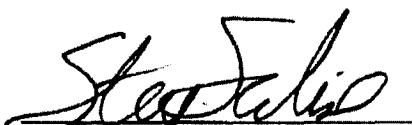
David Scott
Member of Congress



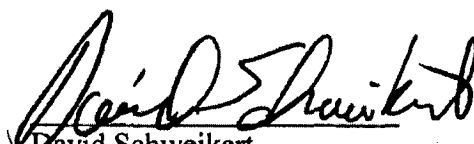
Tim Scott
Member of Congress




James Sensenbrenner
Member of Congress



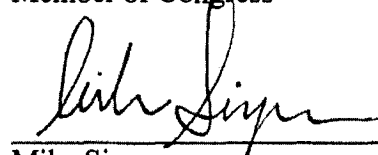
Steve Scalise
Member of Congress



David Schweikert
Member of Congress



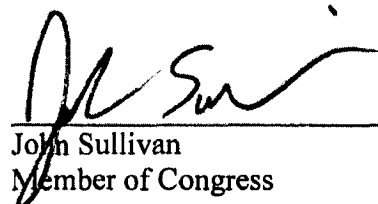
Bill Shuster
Member of Congress



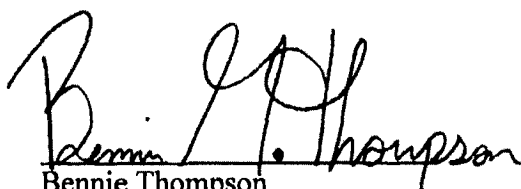
Mike Simpson
Member of Congress



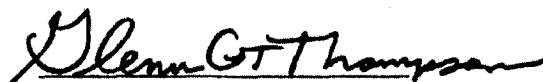
Lamar Smith
Member of Congress



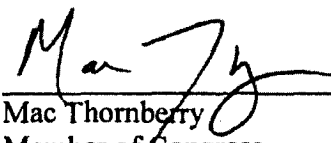
John Sullivan
Member of Congress



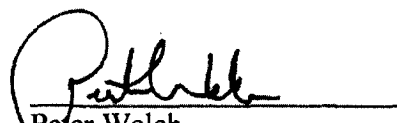
Bennie Thompson
Member of Congress



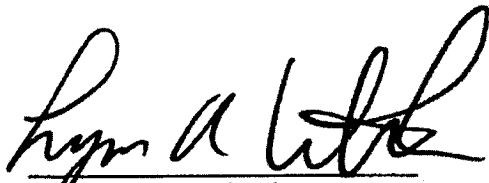
Glenn Thompson
Member of Congress



Mac Thornberry
Member of Congress



Peter Welch
Member of Congress



Lynn Westmoreland
Member of Congress



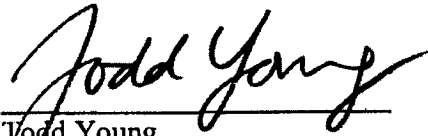
Joe Wilson
Member of Congress



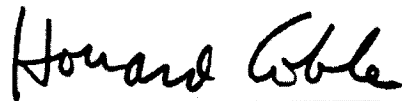
Robert Wittman
Member of Congress



Rob Woodall
Member of Congress



Todd Young
Member of Congress



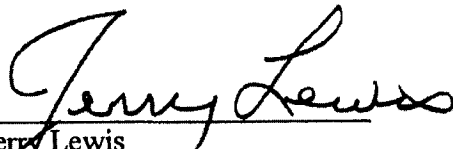
Howard Coble
Member of Congress



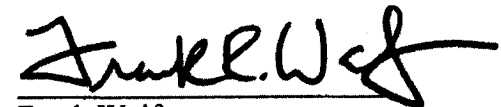
Chellie Pingree
Member of Congress



Duncan Hunter
Member of Congress



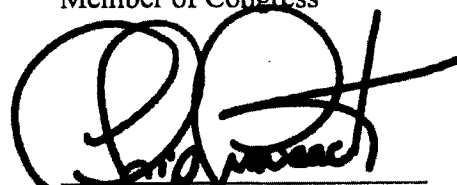
Jerry Lewis
Member of Congress



Frank Wolf
Member of Congress




David McKinley
Member of Congress



Chip Cravaak
Member of Congress

X McHENRY (N-10)

 TN-4

Ch. J. Finn TN-3

~~Zeigler~~ TX-08

Laetia Sanchez

John R. Carter

Marcia T. Judge

Bobby Scott

Mo Brooks

Wick M. Al

Frank A. Lombardo

Joe Brown

DIANE BLACK
6TH DISTRICT OF TENNESSEE

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE OVERSIGHT

COMMITTEE ON THE BUDGET



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

DISTRICT OFFICES

355 NORTH BELVEDERE DRIVE
SUITE 308
GALLATIN, TN 37066
(615) 206-8204
(615) 206-8980 (FAX)

321 EAST SPRING STREET
SUITE 301
COOKEVILLE, TN 38501
(931) 854-0069

May 22, 2013

Mr. Arvin Ganesan
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Room 3246 ARN
Washington, DC 20460

Dear Mr. Ganesan:

I write to request information about your agency's participation in the Student Loan Repayment Program (SLRP).

While general parameters are set for the SLRP through the Office of Personnel Management (OPM), I understand that each agency's requirements for employee participation vary widely. I also understand that you are required to report to OPM annually on your use of the student loan repayment authority. Unfortunately, the information contained in OPM's report is limited, and OPM informed my staff that further information must be solicited from you directly.

I therefore kindly ask that you provide me with a full description of your loan repayment program. In your response, please include answers to the following questions:

1. Which federal loan types are eligible for repayment under your program? Please note whether or not parent PLUS loans are eligible.
2. What are the maximum amounts of repayment offered to employees? Do loan amounts differ depending on loan type?
3. What were the total amounts of repayments made for each loan type in calendar years 2011 and 2012?
4. How many employees received repayments for each loan type in calendar years 2011 and 2012?

Thank you in advance for your response. I look forward to reviewing this information and kindly request that you respond by June 21, 2013.

Sincerely,

A handwritten signature in black ink that reads "Diane Black".

Diane Black
Member of Congress

Congress of the United States

Washington, DC 20515

June 17, 2013

Administrator Robert Perciasepe
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Dear Administrator Perciasepe:

We are seeking clarification regarding the Environmental Protection Agency's (EPA) New Source Performance Standard (NSPS), Subpart UUU (40CFR, Part 60) for Calciners and Dryers in Mineral Processing Industries and recent enforcement actions against U.S. foundries. Specifically, we are concerned about why: a) EPA is enforcing the provisions of Subpart UUU against foundries when it never intended to include these type of facilities as a source category since metalcasting is not a mineral processing industry; and, b) why EPA has failed to promulgate an exemption for foundries from NSPS, Subpart UUU consistent with the original intent of the rule.

It is our understanding that it was not the EPA's intention to subject the foundry industry to this NSPS rule as metal casting is a separate industry from the mineral processors that Subpart UUU was intended to regulate. Furthermore, the original NSPS, Subpart UUU rule which was finalized in September 1992, did not list foundries as an affected industry nor did it designate applicable foundry Standard Industrial Classification (SIC) codes.

On April 22, 2008 (73 Fed. Reg. 21559), EPA proposed a regulation to specifically exempt foundries from the requirements of Subpart UUU (in part because the Agency never intended to cover foundries). The proposed regulatory language that EPA agreed to stated that, "processes used solely for the reclamation and reuse of industrial sand from metal foundries" shall be exempt from the requirements of Subpart UUU in the final rule. In April 2009 (74 Fed. Reg. 19294), EPA issued the final rule for Subpart OOO and noted in the preamble that it was not taking final action on the proposed revisions to Subpart UUU. It is our understanding that in subsequent discussions with EPA officials following the decision to take no final action on the exemption for foundries, EPA enforcement officials agreed that the Agency would not initiate enforcement actions against foundries for Subpart UUU requirements and would address the issue with individual facilities at the time of permit renewal.

In addition, EPA regions across the country have taken inconsistent positions on whether Subpart UUU should apply to foundry sand reclamation and reuse processes at foundries. Recently EPA Region V has initiated enforcement actions against foundries that included violations of Subpart UUU requirements. Although the recent enforcement actions are currently limited in geographic

scope to this region, we have significant concerns that enforcement efforts will be expanded to other areas in the country. As the EPA originally intended to exempt foundries from this regulation, we believe this new enforcement action is misguided.

EPA's recent efforts to impose Subpart UUU requirements on units used solely for the reclamation and reuse of industrial sand from foundries creates an unnecessary regulatory burden, uncertainty and increased costs for foundries. EPA Region V has initiated enforcement actions, even though the record is clear that Subpart UUU should not apply to foundries. By way of background, foundries are essential to the U.S. economy. Every sector relies on metal castings, with 90 percent of all manufactured goods and capital equipment incorporating engineered castings into their makeup. They produce castings that are integral to the automotive, construction, energy, aerospace, agriculture, plumbing, manufacturing, and national defense sectors. The American foundry industry provides employment for over 200,000 men and women directly and sustains thousands of other jobs indirectly. The industry supports a payroll of more than \$8 billion and sales of more than \$36 billion annually. Metalcasting plants are found in every state, and the industry is made up of predominately small businesses. Approximately 80 percent of domestic metalcasters have fewer than 100 employees.

Foundries utilize millions of tons of sand each year – these processing units serve to reclaim and reuse the sand. This process should be encouraged because they provide significant environmental benefits. Additionally, sand systems at foundries are already controlled by other air regulations.

It is clear to us that EPA's original rule did not intend for foundries to have to comply with NSPS, Subpart UUU. Consistent with its original intent of Subpart UUU, EPA must finalize a regulation to exempt foundries from the applicability of this regulation. Please provide a detailed explanation of how and when EPA plans to promulgate an exemption for foundries from NSPS, Subpart UUU. We appreciate your attention to this matter and look forward to your timely response.

Sincerely,



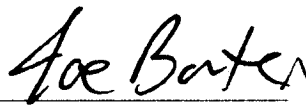
Chuck Fleischmann
Member of Congress



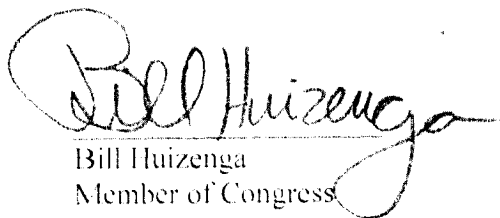
Gary Peters
Member of Congress

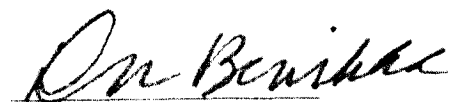


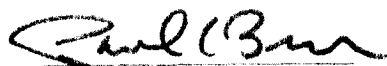
Phil Roe
Member of Congress



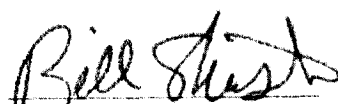
Joe Barton
Member of Congress

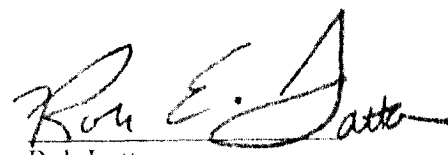

Bill Huizenga
Member of Congress

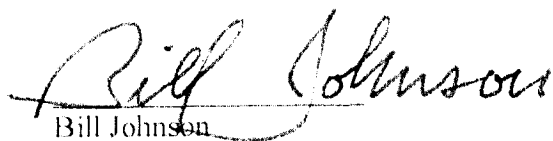

Dan Benishek
Member of Congress


Paul Broun
Member of Congress

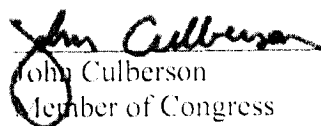

Lou Barletta
Member of Congress

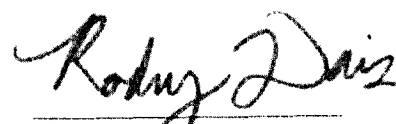

Bill Shuster
Member of Congress



Bob Latta
Member of Congress

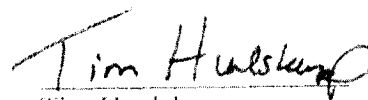

Bill Johnson
Member of Congress



Hal Rogers
Member of Congress


John Culberson
Member of Congress

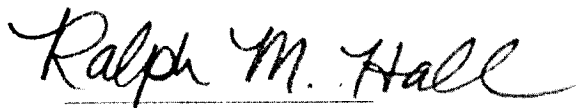

Rodney Davis
Member of Congress


Cynthia Lummis
Member of Congress

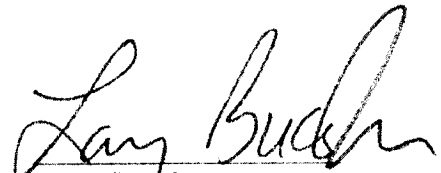

Tim Huelskamp
Member of Congress


Andy Harris
Member of Congress


Doug LaMalfa
Member of Congress



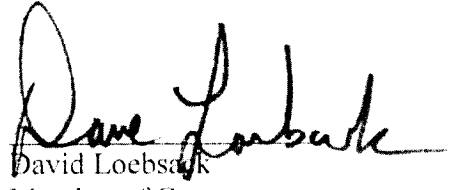
Ralph Hall
Member of Congress



Larry Budshon
Member of Congress



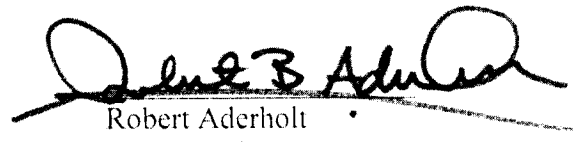
Reid Ribble
Member of Congress



David Loebsack
Member of Congress



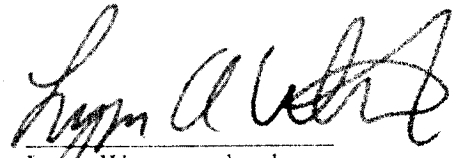
Mario Diaz-Balart
Member of Congress



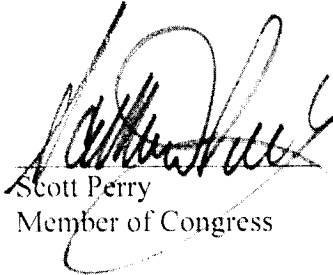
Robert Aderholt
Member of Congress



Marsha Blackburn
Member of Congress



Lynn Westmoreland
Member of Congress



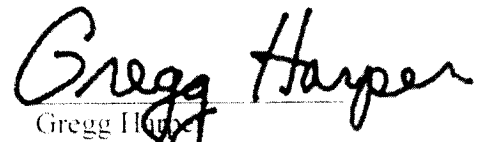
Scott Perry
Member of Congress



Jim Jordan
Member of Congress



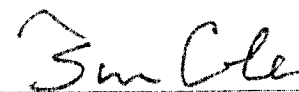
Scott DesJarlais
Member of Congress



Gregg Harper
Member of Congress



Tom Graves
Member of Congress



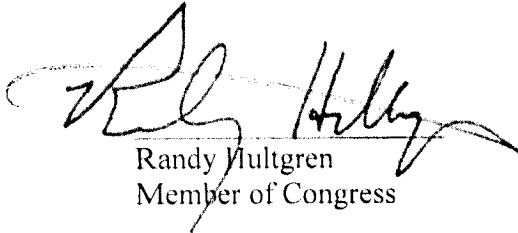
Tom Cole
Member of Congress



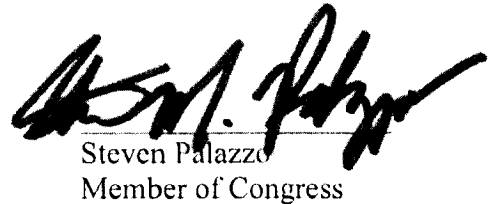
Susan Brooks
Member of Congress



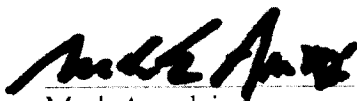
Jackie Walorski
Member of Congress



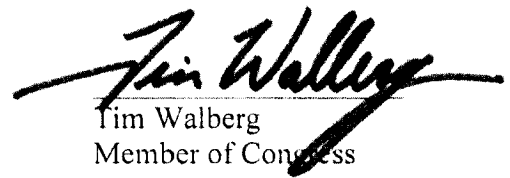
Randy Hultgren
Member of Congress



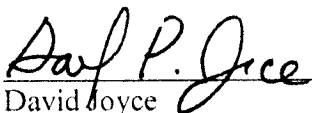
Steven Palazzo
Member of Congress



Mark Amodei
Member of Congress



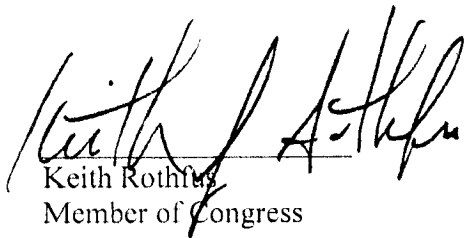
Tim Walberg
Member of Congress



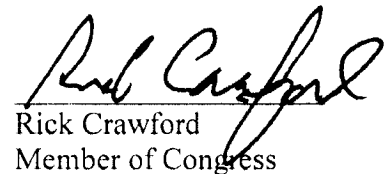
David Joyce
Member of Congress



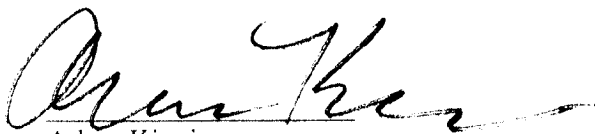
Peter Roskam
Member of Congress



Keith Rothfus
Member of Congress



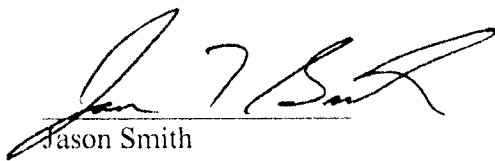
Rick Crawford
Member of Congress



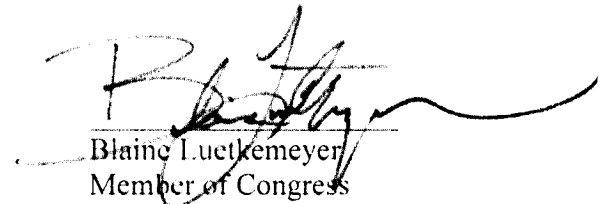
Adam Kinzinger
Member of Congress




Billy Long
Member of Congress




Jason Smith
Member of Congress

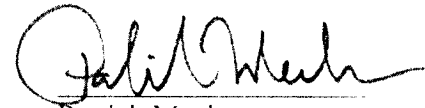


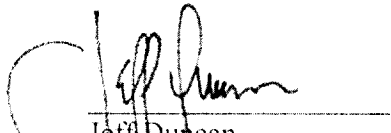
Blaine Luetkemeyer
Member of Congress

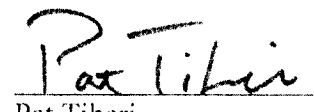

Jim Matheson
Member of Congress

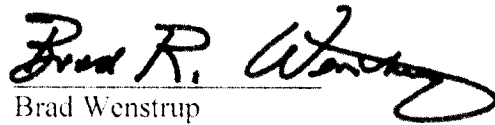

Don Young
Member of Congress

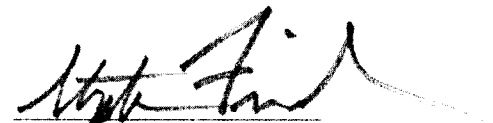

John Gohmert
Member of Congress

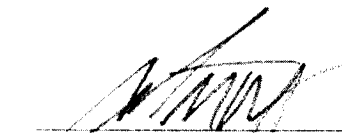

Patrick Meehan
Member of Congress



Jeff Duncan
Member of Congress

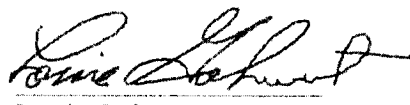

Pat Tiberi
Member of Congress



Brad Wenstrup
Member of Congress

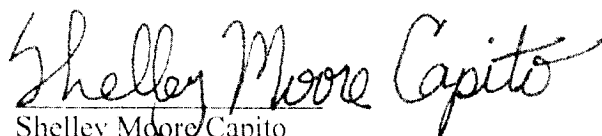

Stephen Fincher
Member of Congress

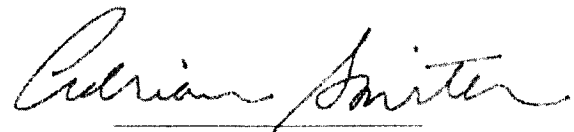

Lee Terry
Member of Congress

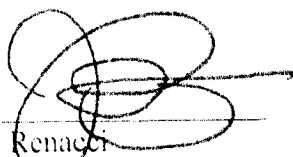

Ann Wagner
Member of Congress


Louie Gohmert
Member of Congress

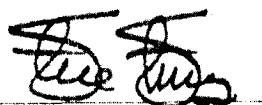

Charlie Dent
Member of Congress


Shelley Moore Capito
Member of Congress

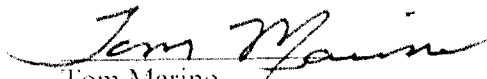

Adrian Smith
Member of Congress




Jim Renacci
Member of Congress



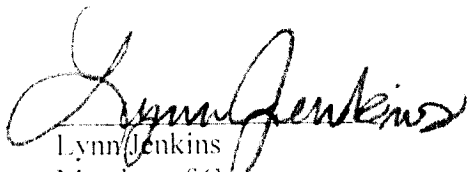
Steve Stivers
Member of Congress



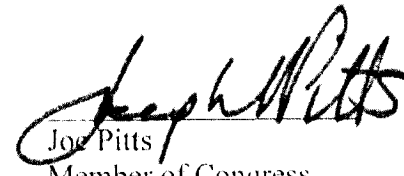
Tom Marino
Member of Congress



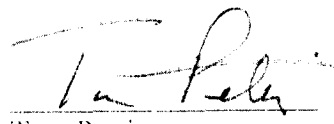
Mike Kelly
Member of Congress



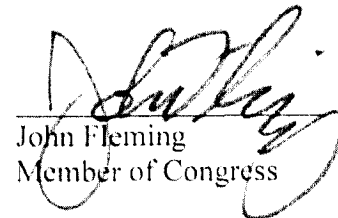
Lynn Jenkins
Member of Congress



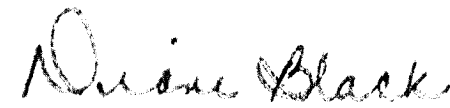
Joe Pitts
Member of Congress



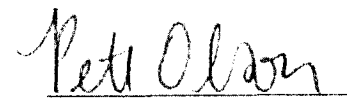
Tom Petri
Member of Congress



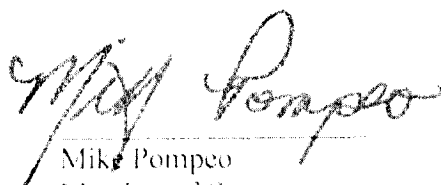
John Fleming
Member of Congress



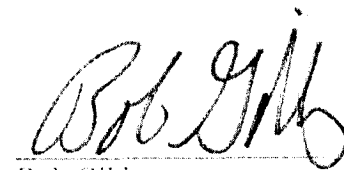
Diane Black
Member of Congress




Pete Olson
Member of Congress



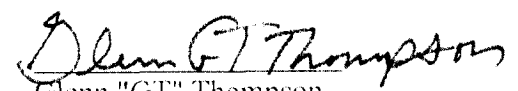
Mike Pompeo
Member of Congress



Bob Gibbs
Member of Congress



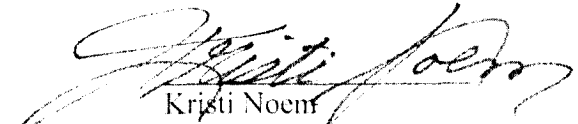
Michael Turner
Member of Congress




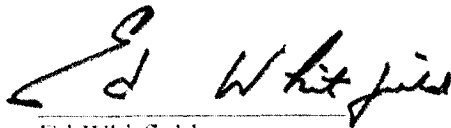
Glenn "GT" Thompson
Member of Congress



Vern Buchanan
Member of Congress


Kristi Noem
Member of Congress

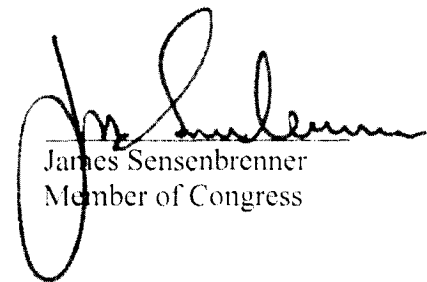
Steve Chabot
Member of Congress


Aaron Schock
Member of Congress

Ed Whitfield
Member of Congress


Blake Farenthold
Member of Congress

Sean Duffy
Member of Congress


James Sensenbrenner
Member of Congress



Congress of the United States
Washington, DC 20515

July 24, 2013

Ms. Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: EPA Proposed Rule: Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training (EPA-HQ-UST-2011-0301)

Dear Ms. McCarthy:

We are writing to express our concern about the U.S. Environmental Protection Agency's (EPA) proposed rule amending 40 CFR Parts 280 and 281; Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training (EPA-HQ-UST-2011-0301), published in the Federal Register on November 18, 2011. In light of the regulatory cost impact of the proposed rule on small businesses, we respectfully request that the EPA withdraw the proposed rule and form a Small Business Advocacy Review (SBAR) panel.

After doing its own evaluation of the economic impacts of the proposed rule, the EPA estimated a compliance cost of \$900 which they conclude would not constitute a significant economic impact on small businesses. However, according to industry experts, a more realistic estimate of the cost of compliance is \$6,960 annually which could be particularly burdensome, especially since much of the convenience store industry is comprised of small businesses. Many of those businesses who were interviewed by EPA as part of the cost evaluation tell us that the scope of evaluation was not adequate to determine the full impact of the proposed rule.

Also, the Small Business Administration's (SBA) Office of Advocacy was not contacted as contemplated by the Regulatory Flexibility Act, and EPA has not had the benefit of a Small Business Regulatory Enforcement Fairness Act (SBREFA) panel process to evaluate the costs and benefits of the proposed rule. We believe EPA would benefit from the panel and the expertise of the industry in assessing costs and perhaps finding a more effective and economical tank release and monitoring program.

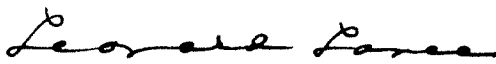
Ultimately, the discrepancy between the agency cost estimates and the industry estimates cause us concern and warrants further evaluation. We respectfully suggest that the proper remedy would be to withdraw the proposed rule and form a Small Business Advocacy Review (SBAR) panel to address the issues raised.

Thank you for your consideration. We look forward to hearing from you.

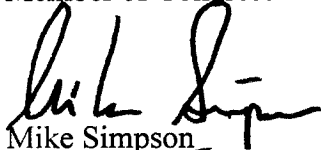
Sincerely,

Gregg Harper
Member of Congress

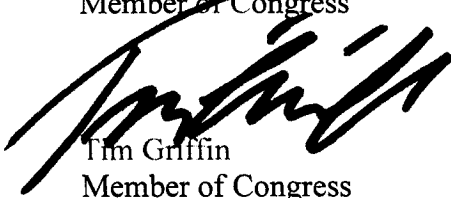
John Barrow
Member of Congress



Leonard Lance
Member of Congress



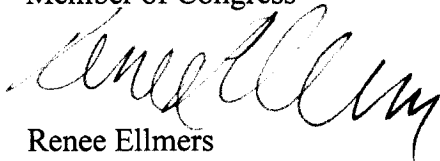
Mike Simpson
Member of Congress



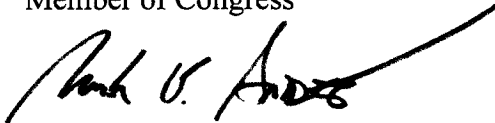
Tim Griffin
Member of Congress



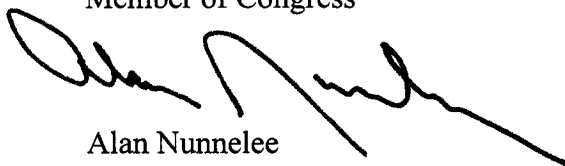
Steve Womack
Member of Congress



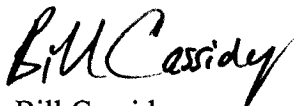
Renee Ellmers
Member of Congress



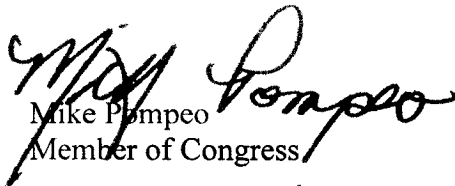
Mark Amodei
Member of Congress



Alan Nunnelee
Member of Congress



Bill Cassidy
Member of Congress



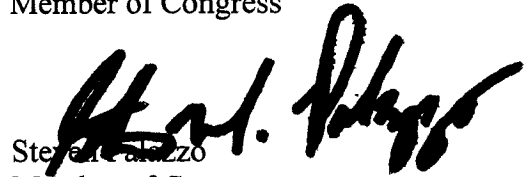
Mike Pompeo
Member of Congress



Robert E. Latta
Member of Congress



Marsha Blackburn
Member of Congress



Steve Scalzo
Member of Congress



Rick Crawford
Member of Congress



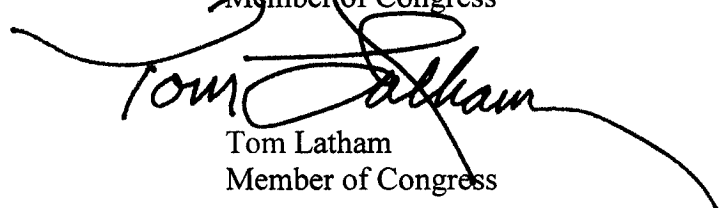
Gus Bilirakis
Member of Congress



Lee Terry
Member of Congress



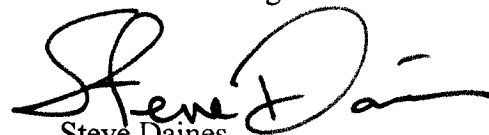
Tom Cotton
Member of Congress



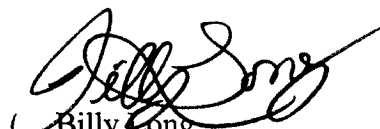
Tom Latham
Member of Congress



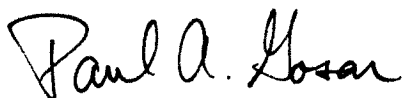
Adam Kinzinger
Member of Congress



Steve Daines
Member of Congress




Billy Long
Member of Congress



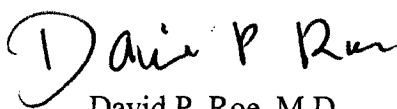
Paul A. Gosar
Member of Congress



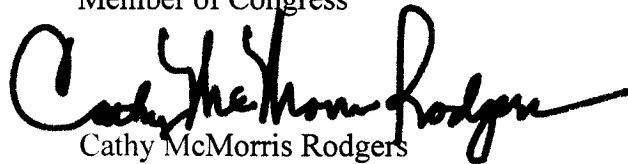
Rob Bishop
Member of Congress



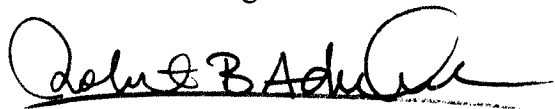
Jeff Duncan
Member of Congress



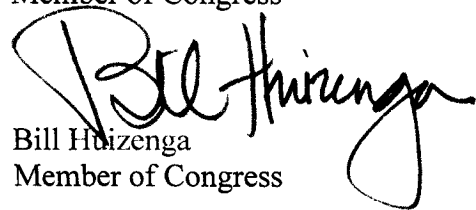
David P. Roe, M.D.
Member of Congress



Cathy McMorris Rodgers
Member of Congress



Robert B. Aderholt
Member of Congress




Bill Huizenga
Member of Congress



Virginia Foxx
Member of Congress



Mike Rogers (AL)
Member of Congress



Adrian Smith
Member of Congress



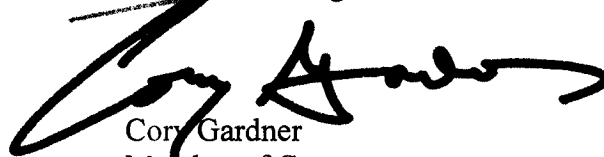
Jason Chaffetz
Member of Congress



Walter Jones
Member of Congress



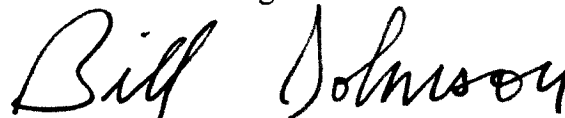
Mick Mulvaney
Member of Congress



Cory Gardner
Member of Congress



Brett Guthrie
Member of Congress



Bill Johnson
Member of Congress



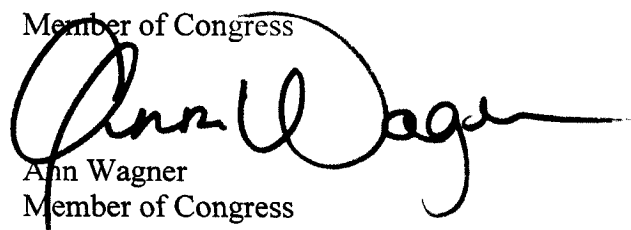
Mo Brooks
Member of Congress



Greg Walden
Member of Congress



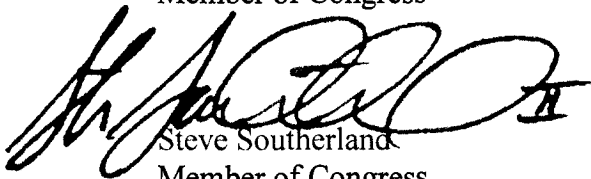
Daniel Webster
Member of Congress



Ann Wagner
Member of Congress



Mike Rogers (MI)
Member of Congress



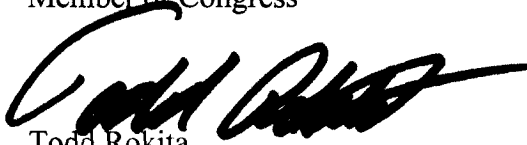
Steve Southerland
Member of Congress



Rodney Davis
Member of Congress



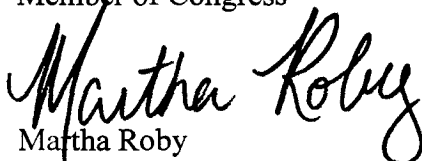
Markwayne Mullin
Member of Congress



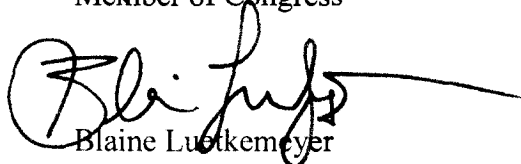
Todd Rokita
Member of Congress




Kevin Cramer
Member of Congress



Martha Roby
Member of Congress



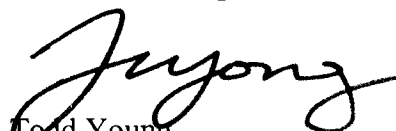
Blaine Luetkemeyer
Member of Congress



Gene Green
Member of Congress



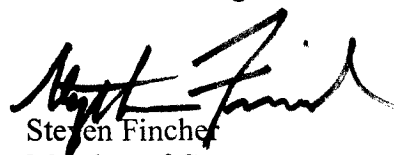
Vicky Hartzler
Member of Congress



Todd Young
Member of Congress



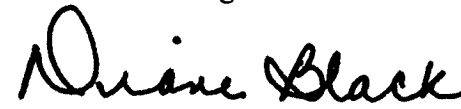
Jackie Walorski
Member of Congress



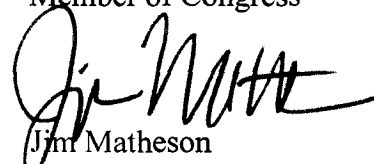
Steven Fincher
Member of Congress



Scott DesJarlais
Member of Congress



Diane Black
Member of Congress



Jim Matheson
Member of Congress

CC:
Ms. Carolyn Hoskinson
Director
Office of Underground Storage Tanks

Congress of the United States
House of Representatives
Washington, DC 20515

October 30, 2013

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
Room 300, Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

Nearly eight years ago, Congress approved the Energy Policy Act of 2005, establishing the first Renewable Fuel Standard ("RFS"). In 2007, Congress significantly expanded the 2005 law when it passed the Energy Independence and Security Act of 2007, which increased the mandate to 36 billion gallons of biofuels by 2022. Unfortunately, despite the best intentions of the RFS, its premise and structure were based on many assumptions that no longer reflect the current market conditions, and the imposition of the 2014 volumes now threatens to cause economic and environmental harm. As Congress continues its bi-partisan work to address these concerns, we are writing to request that the EPA use its authority to adjust the 2014 RFS volumes.

As you are aware, the U.S. corn market has been increasingly volatile since the expansion of the RFS in 2007. This reflects the reality that more than 40 percent of the corn crop now goes into ethanol production, a dramatic rise since the first ethanol mandates were put into place in 2005. While well intentioned, the rigid nature of the federal law has not allowed it to change as new realities emerge in the market place. Ethanol now consumes more corn than animal agriculture, a fact directly attributable to the federal mandate. Corn prices are just one example of the economic harm caused by the RFS.

Due to the dramatic expansion of corn ethanol, volatile corn prices have led to the conversion of millions of acres of sensitive wetlands and grasslands into production. According to the EPA's analysis, the lifecycle emissions of corn ethanol in 2012 were higher than those of gasoline – and will be for years to come. Despite promised environmental benefits when the RFS was implemented, the National Academy of Sciences has noted that overall ethanol production and use lowers air and water quality.


Perhaps the newest challenge is the imposition of the statutory requirement of 18.15 billion gallons of renewable fuels in 2014, of which approximately 14.4 billion gallons will be made up by corn ethanol. In particular, the combination of rising ethanol mandates and declining gasoline demand has exacerbated the onset of the E10 blendwall- the point at which the gasoline supply is saturated with the maximum amount of ethanol that current vehicles, engines, and infrastructure can safely accommodate. The EPA explicitly acknowledged this challenge in its final rule implementing the 2013 volumes—"EPA does not currently foresee a scenario in which the market could consume enough ethanol sold in blends greater than E10, and/or produce sufficient volumes of non-ethanol biofuels to meet the volumes of total renewable fuel and advanced biofuel as required by statute for 2014."¹ We understand that the EPA signaled its intention to address these concerns in the 2014 rulemaking and commend the EPA's willingness to use the authority Congress granted to it when crafting the RFS.

While the blendwall is a pressing issue, the federal government can help avoid a dangerous economic situation by adjusting the normally rigid Renewable Fuel Standard mandate down to align with gasoline market conditions and realities. We therefore urge the EPA to consider a fair and meaningful nationwide adjustment to the ethanol mandate in the Renewable Fuel Standard. Prompt action by the EPA can help to ease short supply concerns, prevent engine damage, save jobs across many U.S. industries, and keep families fed. We strongly urge you to exercise your authority and take the necessary steps to protect American consumers and the economy. Thank you for your immediate consideration of this request.

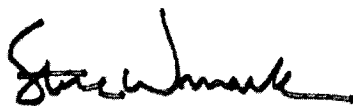
Sincerely,



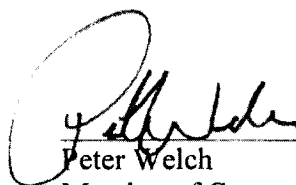
Bob Goodlatte
Member of Congress



Jim Costa
Member of Congress

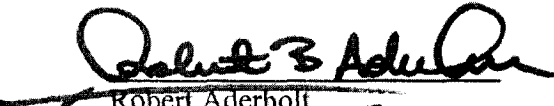


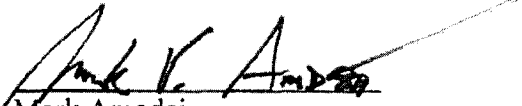
Steve Womack
Member of Congress





Peter Welch
Member of Congress

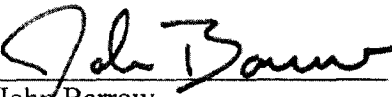
¹ Regulation of Fuels and Fuel Additives: 2013 Renewable Fuel Standards, 78 Fed. Reg. 49,794, 49,823 (Aug. 15, 2013) (to be codified at 40 C.F.R. pt. 80).



Robert Aderholt
Member of Congress

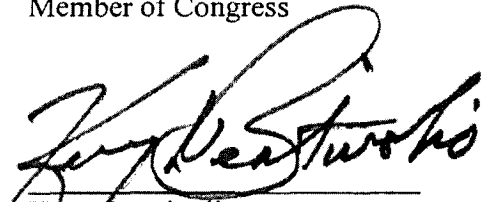

Mark Amodei
Member of Congress



Robert Andrews
Member of Congress

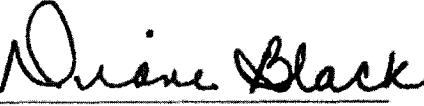

Lou Barletta
Member of Congress

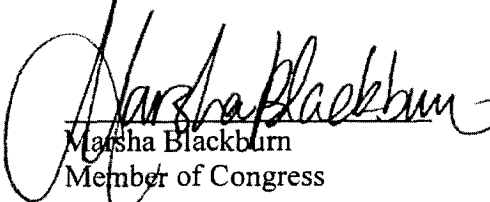

John Barrow
Member of Congress

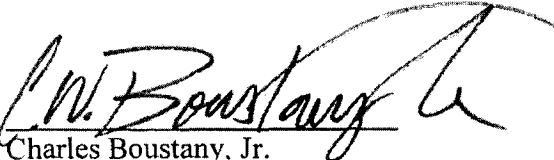

Dan Benishek
Member of Congress

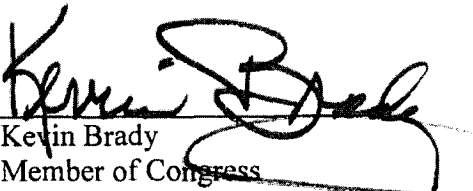

Kerry Bentivolio
Member of Congress

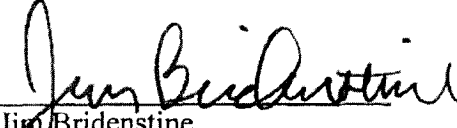

Gus Bilirakis
Member of Congress



Diane Black
Member of Congress


Marsha Blackburn
Member of Congress


Charles Boustany, Jr.
Member of Congress

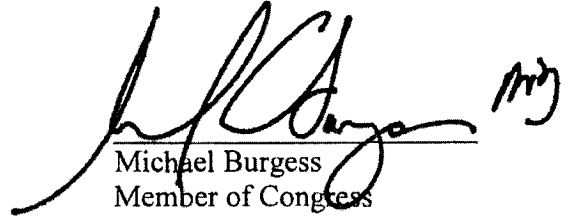

Kevin Brady
Member of Congress


Jim Bridenstine
Member of Congress

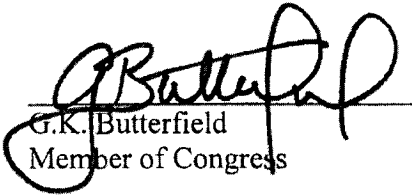

Mo Brooks
Member of Congress



Paul Broun
Member of Congress



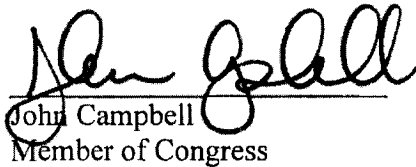
Michael Burgess
Member of Congress



G.K. Butterfield
Member of Congress



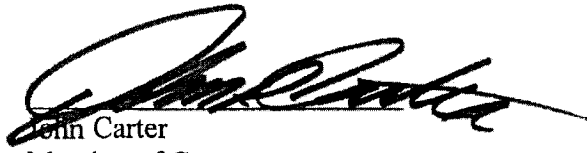
Ken Calvert
Member of Congress



John Campbell
Member of Congress



Shelley Moore Capito
Member of Congress



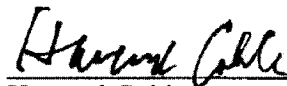
John Carter
Member of Congress



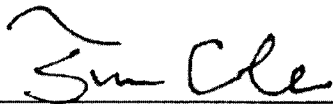
Steve Chabot
Member of Congress



Jason Chaffetz
Member of Congress



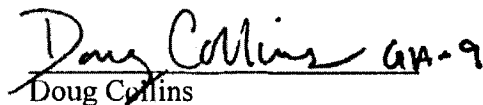
Howard Coble
Member of Congress



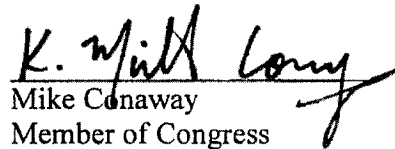
Tom Cole
Member of Congress



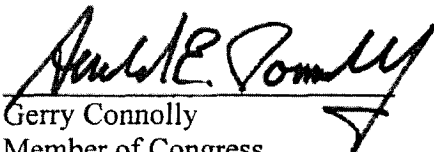
Chris Collins
Member of Congress

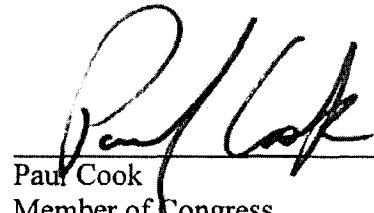


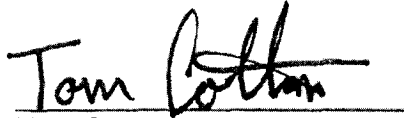
Doug Collins
Member of Congress




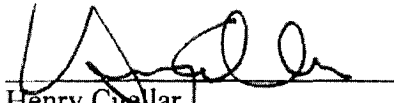
Mike Conaway
Member of Congress

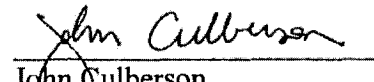

Gerry Connolly
Member of Congress

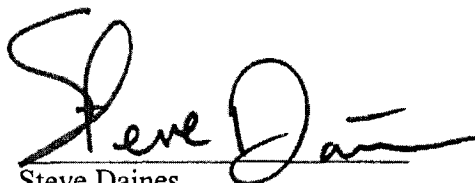

Paul Cook
Member of Congress



Tom Cotton
Member of Congress

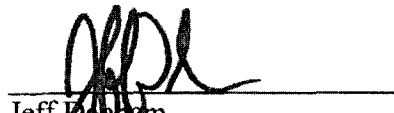

Rick Crawford
Member of Congress



Henry Cuellar
Member of Congress



John Culberson
Member of Congress

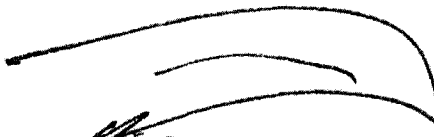

Steve Daines
Member of Congress



Peter DeFazio
Member of Congress



Jeff Duncan
Member of Congress

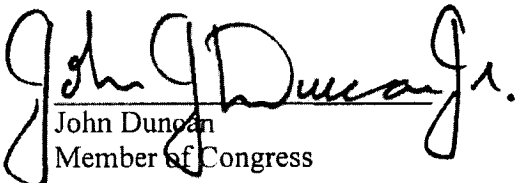

Charles Dent
Member of Congress



Ron DeSantis
Member of Congress



Scott DesJarlais
Member of Congress

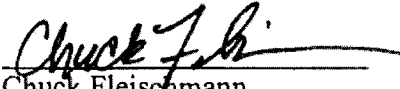

Mario Diaz-Balart
Member of Congress



Jeff Duncan
Member of Congress



John Dungan
Member of Congress



Renee Ellmers
Member of Congress

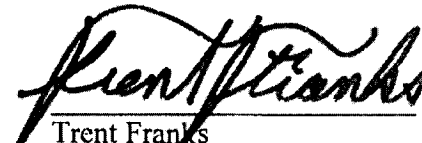

Blake Farenthold
Member of Congress

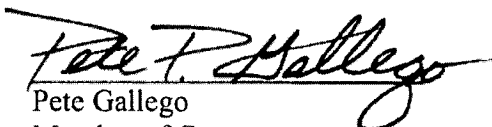

Chuck Fleischmann
Member of Congress

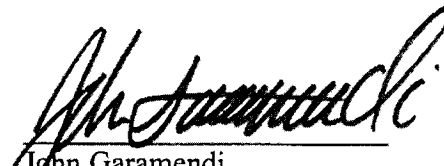

John Fleming
Member of Congress

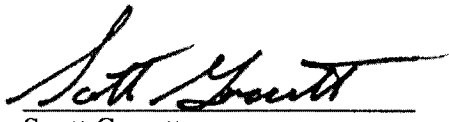

Bill Flores
Member of Congress


Virginia Foxx
Member of Congress


Trent Franks
Member of Congress


Pete Gallego
Member of Congress

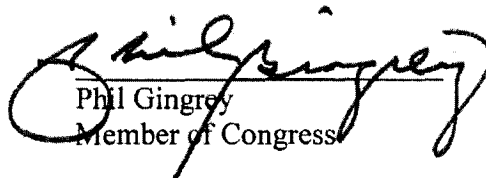

John Garamendi
Member of Congress


Scott Garrett
Member of Congress


Jim Gerlach
Member of Congress



Chris Gibson
Member of Congress




Phil Gingrey
Member of Congress



Louie Gohmert
Member of Congress



Paul Gosar
Member of Congress



Kay Granger
Member of Congress



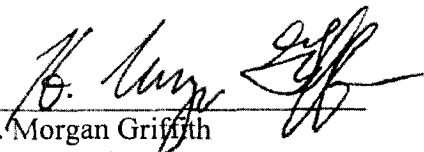
Tom Graves
Member of Congress



Gene Green
Member of Congress



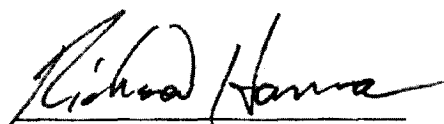
Tim Griffin
Member of Congress



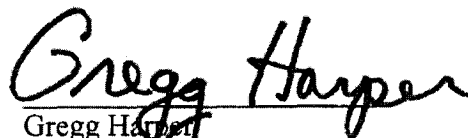
H. Morgan Griffith
Member of Congress



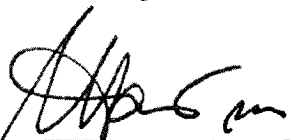
Ralph Hall
Member of Congress



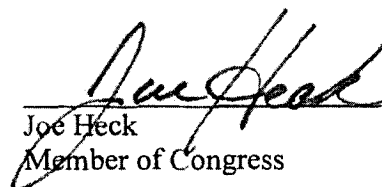
Richard Hanna
Member of Congress



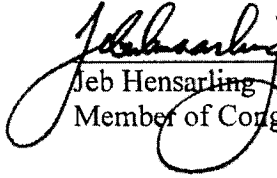
Gregg Harper
Member of Congress

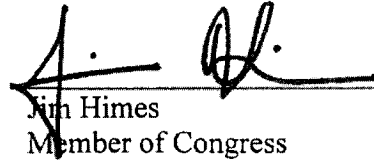


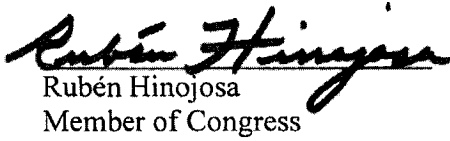
Andy Harris
Member of Congress

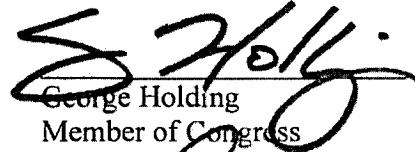


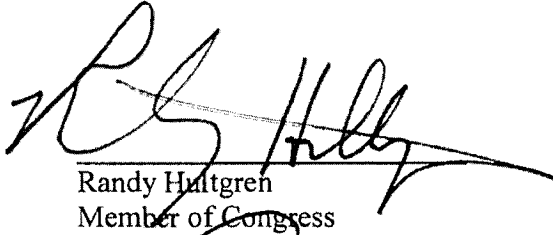
Joe Heck
Member of Congress

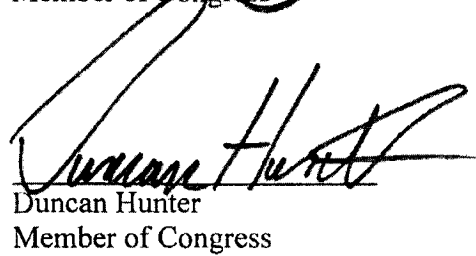

Jeb Hensarling
Member of Congress

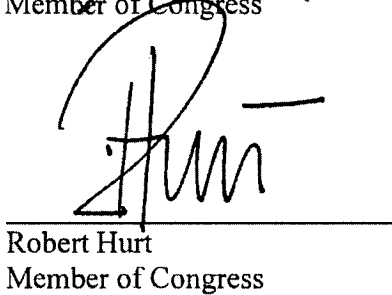

Jim Himes
Member of Congress

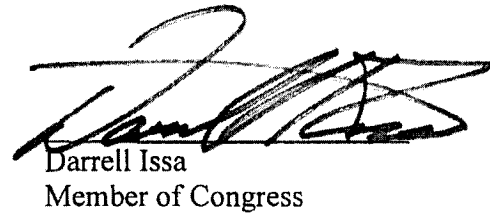

Rubén Hinojosa
Member of Congress

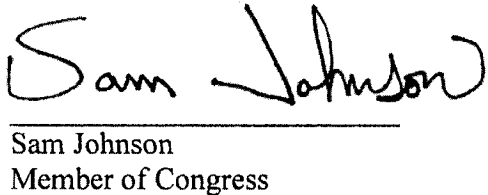

George Holding
Member of Congress

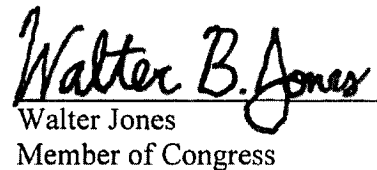

Randy Hultgren
Member of Congress

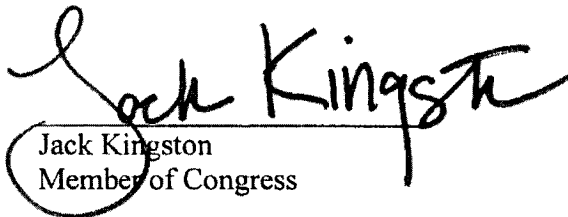

Duncan Hunter
Member of Congress


Robert Hurt
Member of Congress

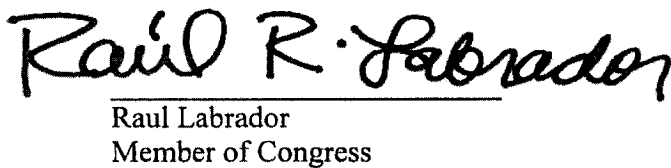

Darrell Issa
Member of Congress

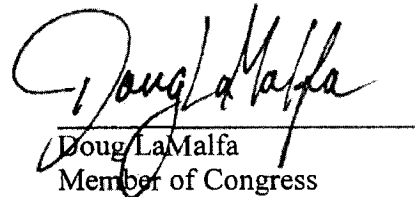

Sam Johnson
Member of Congress


Walter Jones
Member of Congress


Jack Kingston
Member of Congress


Ann McLane Kuster
Member of Congress


Raul Labrador
Member of Congress

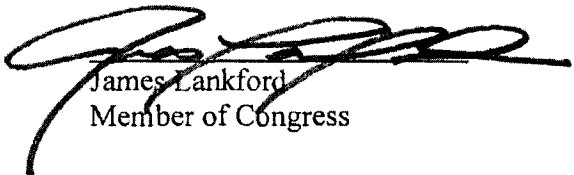

Doug LaMalfa
Member of Congress



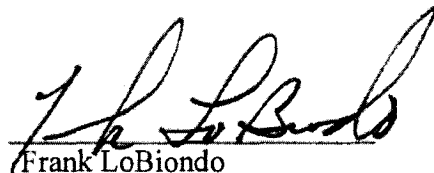
Doug Lamborn
Member of Congress



Leonard Lance
Member of Congress



James Lankford
Member of Congress



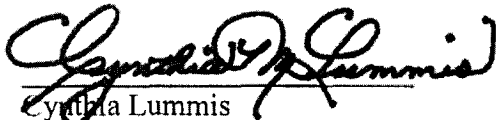
Frank LoBiondo
Member of Congress



Billy Long
Member of Congress



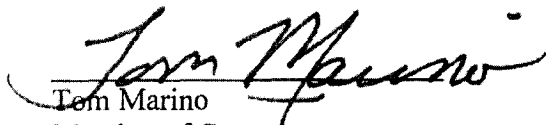
Ben Ray Luján
Member of Congress



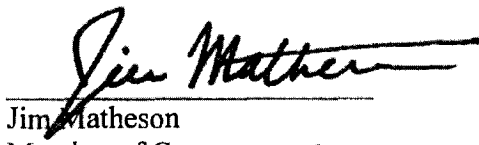
Cynthia Lummis
Member of Congress



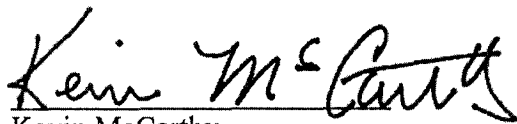
Kenny Marchant
Member of Congress



Tom Marino
Member of Congress



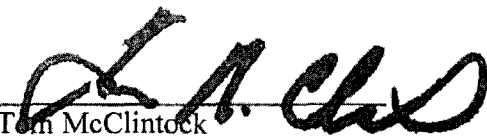
Jim Matheson
Member of Congress



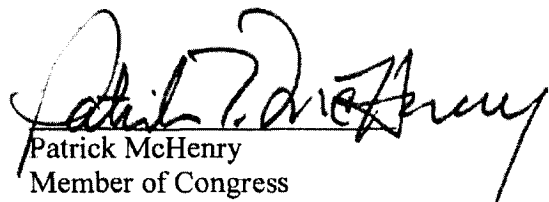
Kevin McCarthy
Member of Congress



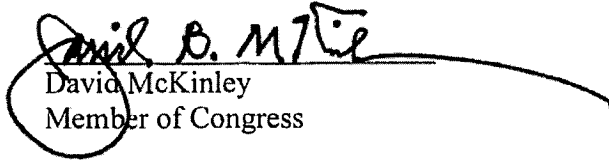
Michael McCaul
Member of Congress

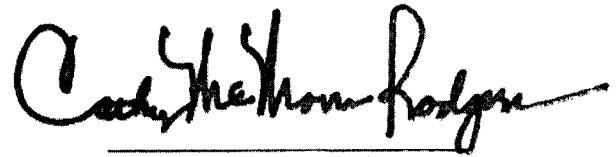


Tom McClintock
Member of Congress




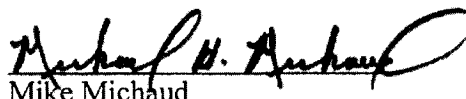
Patrick McHenry
Member of Congress

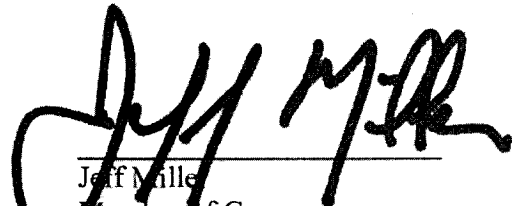

David McKinley
Member of Congress

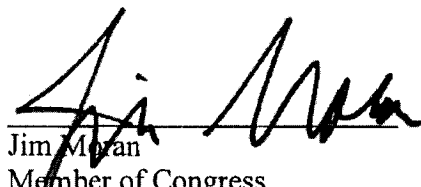

Cathy McMorris Rodgers
Member of Congress

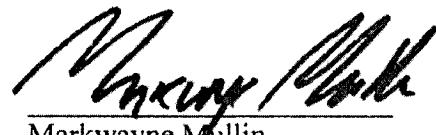

Mark Meadows
Member of Congress

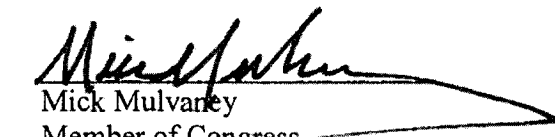

Pat Meehan
Member of Congress

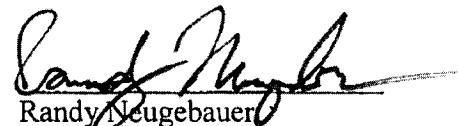

Mike Michaud
Member of Congress

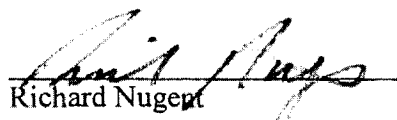

Jeff Miller
Member of Congress



Jim Moran
Member of Congress

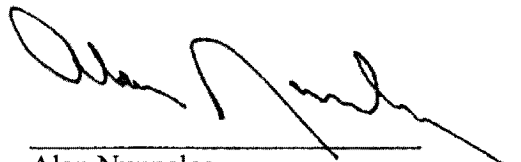

Markwayne Mullin
Member of Congress



Mick Mulvaney
Member of Congress


Randy Neugebauer
Member of Congress


Richard Nugent
Member of Congress


Devin Nunes
Member of Congress


Alan Nunnelee
Member of Congress

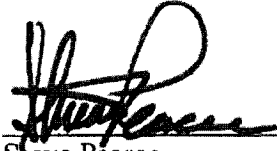

Pete Olson
Member of Congress



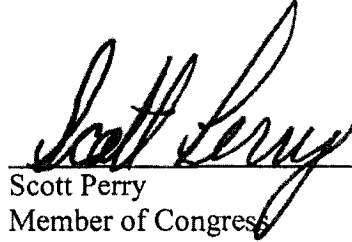
Bill Owens
Member of Congress



Steven Palazzo
Member of Congress



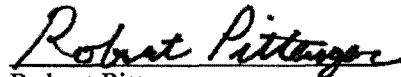
Steve Pearce
Member of Congress



Scott Perry
Member of Congress



Chellie Pingree
Member of Congress



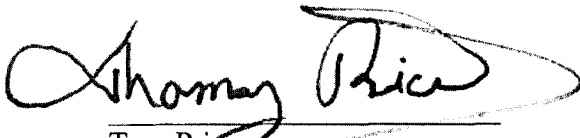
Robert Pittenger
Member of Congress



Joe Pitts
Member of Congress



Ted Poe
Member of Congress



Tom Price
Member of Congress



Trey Radel
Member of Congress



Tom Reed
Member of Congress



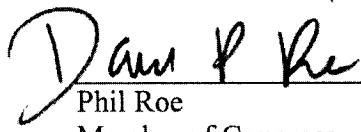
Tom Rice
Member of Congress

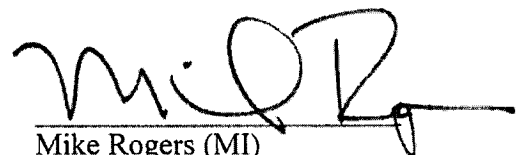


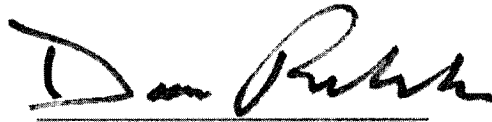
Cedric Richmond
Member of Congress

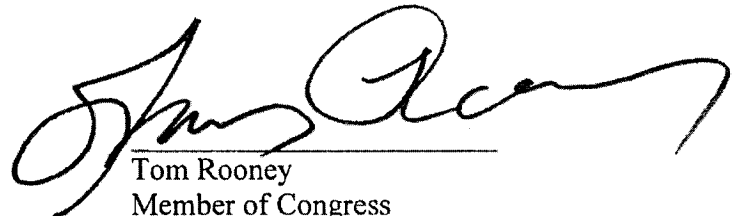


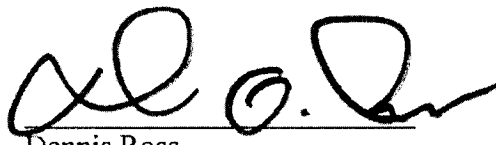
Scott Rigell
Member of Congress

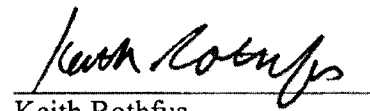

Phil Roe
Member of Congress

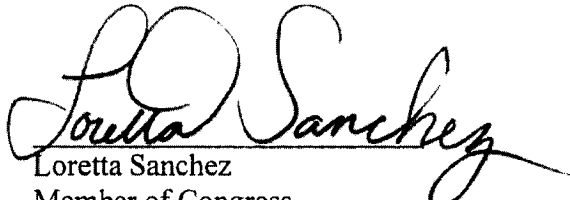

Mike Rogers (MI)
Member of Congress



Dana Rohrabacher
Member of Congress


Tom Rooney
Member of Congress

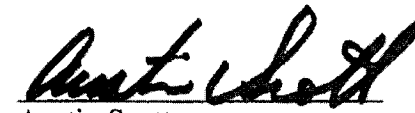

Dennis Ross
Member of Congress



Keith Rothfus
Member of Congress

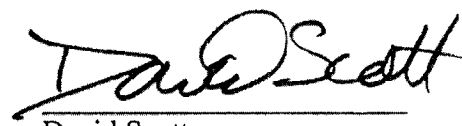

Loretta Sanchez
Member of Congress

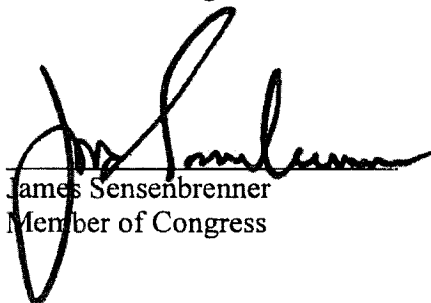

Kurt Schrader
Member of Congress

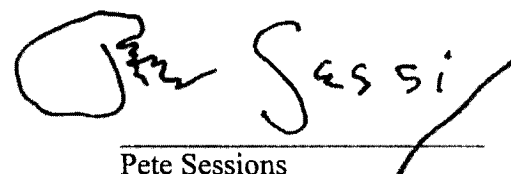

David Schweikert
Member of Congress



Austin Scott
Member of Congress

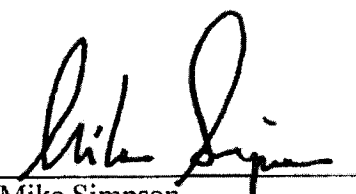

Bobby Scott
Member of Congress

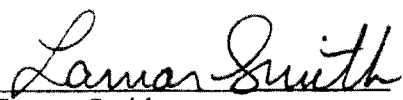

David Scott
Member of Congress

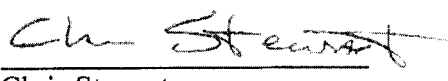

James Sensenbrenner
Member of Congress

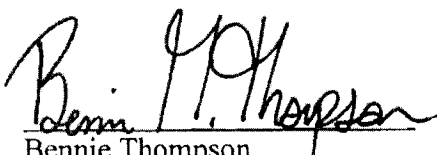

Pete Sessions
Member of Congress



Bill Shuster
Member of Congress

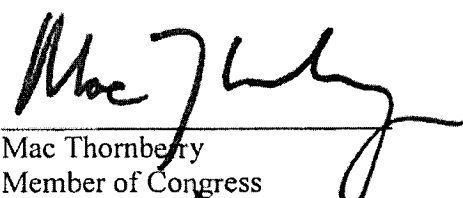

Mike Simpson
Member of Congress



Lamar Smith
Member of Congress

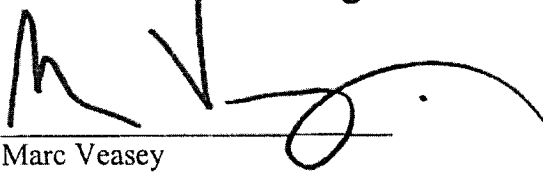

Chris Stewart
Member of Congress

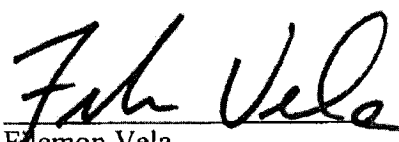

Bennie Thompson
Member of Congress



Glenn Thompson
Member of Congress



Mac Thornberry
Member of Congress

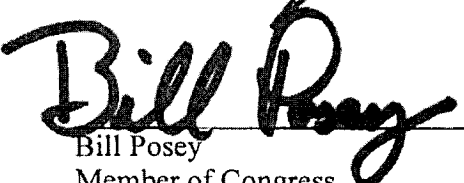

David Valadao
Member of Congress

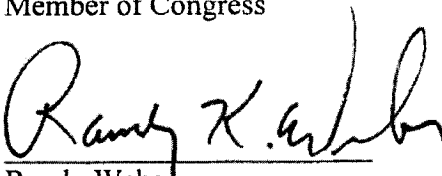

Marc Veasey
Member of Congress

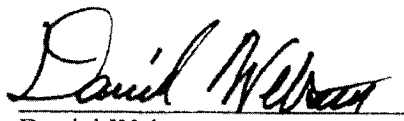

Filmon Vela
Member of Congress


Tim Walberg
Member of Congress

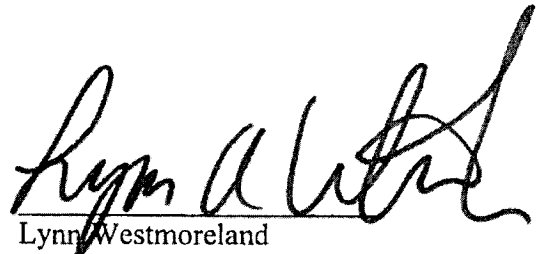

Greg Walden
Member of Congress


Bill Posey
Member of Congress


Randy Weber
Member of Congress



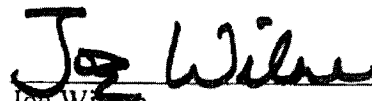
Daniel Webster
Member of Congress



Lynn Westmoreland
Member of Congress



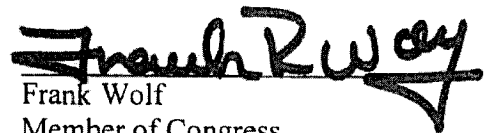
Roger Williams
Member of Congress



Joe Wilson
Member of Congress



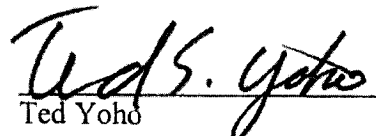
Robert Wittman
Member of Congress



Frank Wolf
Member of Congress



Rob Woodall
Member of Congress



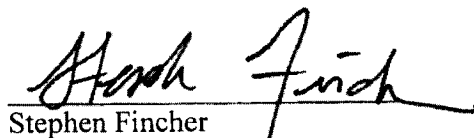
Ted Yoho
Member of Congress



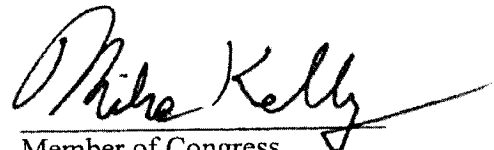
Don Young
Member of Congress



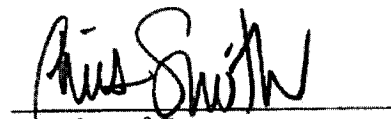
Rodney P. Frelinghuysen
Member of Congress



Stephen Fincher
Member of Congress



Member of Congress



Member of Congress

Member of Congress

Mims, Kathy

From: Mackay, Cheryl
Sent: Thursday, October 31, 2013 11:33 AM
To: Mims, Kathy; Eades, Cassaundra
Subject: FW: RFS Letter
Attachments: RFSLetterToAdminMcCarthy.pdf

Please save in CMS and control to OAR/OTAQ. Here is the list of signatories to the letter. Thanks!

Aderholt, Robert B. (R-AL, 4th)
Amodei, Mark (R-NV, 2nd)
Andrews, Robert E. (D-NJ, 1st)
Barletta, Lou (R-PA, 11th)
Barrow, John (D-GA, 12th)
Benishek, Dan (R-MI, 1st)
Bentivolio, Kerry (R-MI, 11th)
Bilirakis, Gus (R-FL, 12th)
Black, Diane (R-TN, 6th)
Blackburn, Marsha W. (R-TN, 7th)
Boustany, Charles W. (R-LA, 3rd)
Brady, Kevin (R-TX, 8th)
Bridenstine, Jim (R-OK, 1st)
Brooks, Mo (R-AL, 5th)
Broun, Paul (R-GA, 10th)
Burgess, Michael C. (R-TX, 26th)
Butterfield, G. K. (D-NC, 1st)
Calvert, Ken (R-CA, 42nd)
Campbell, John (R-CA, 45th)
Capito, Shelley Moore (R-WV, 2nd)
Carter, John R. (R-TX, 31st)
Chabot, Steve (R-OH, 1st)
Chaffetz, Jason (R-UT, 3rd)
Coble, Howard (R-NC, 6th)
Cole, Tom (R-OK, 4th)
Collins, Chris (R-NY, 27th)
Collins, Doug (R-GA, 9th)
Conaway, Mike (R-TX, 11th)
Connolly, Gerry (D-VA, 11th)
Cook, Paul J. (R-CA, 8th)
Costa, Jim (D-CA, 16th)
Cotton, Tom (R-AR, 4th)
Crawford, Rick (R-AR, 1st)
Cuellar, Henry (D-TX, 28th)
Culberson, John (R-TX, 7th)
Daines, Steve (R-MT, At Large)
DeFazio, Peter A. (D-OR, 4th)
Denham, Jeff (R-CA, 10th)
Dent, Charles (R-PA, 15th)
DeSantis, Ron (R-FL, 6th)
DesJarlais, Scott (R-TN, 4th)
Diaz-Balart, Mario (R-FL, 25th)

Duncan, Jeff (R-SC, 3rd)
Duncan, John J. Jr. (R-TN, 2nd)
Ellmers, Renee (R-NC, 2nd)
Farenthold, Blake (R-TX, 27th)
Fincher, Stephen (R-TN, 8th)
Fleischmann, Chuck (R-TN, 3rd)
Fleming, John (R-LA, 4th)
Flores, Bill (R-TX, 17th)
Foxx, Virginia (R-NC, 5th)
Franks, Trent (R-AZ, 8th)
Frelinghuysen, Rodney (R-NJ, 11th)
Gallego, Pete (D-TX, 23rd)
Garamendi, John (D-CA, 3rd)
Garrett, Scott (R-NJ, 5th)
Gerlach, Jim (R-PA, 6th)
Gibson, Chris (R-NY, 19th)
Gingrey, Phil (R-GA, 11th)
Gohmert, Louie (R-TX, 1st)
Goodlatte, Bob (R-VA, 6th)
Gosar, Paul (R-AZ, 4th)
Granger, Kay (R-TX, 12th)
Graves, Tom (R-GA, 14th)
Green, Gene (D-TX, 29th)
Griffin, Tim (R-AR, 2nd)
Griffith, Morgan (R-VA, 9th)
Hall, Ralph M. (R-TX, 4th)
Hanna, Richard L. (R-NY, 22nd)
Harper, Gregg (R-MS, 3rd)
Harris, Andy (R-MD, 1st)
Heck, Joe (R-NV, 3rd)
Hensarling, Jeb (R-TX, 5th)
Himes, Jim (D-CT, 4th)
Hinojosa, Rubén (D-TX, 15th)
Holding, George E. (R-NC, 13th)
Hultgren, Randy (R-IL, 14th)
Hunter, Duncan D. (R-CA, 50th)
Hurt, Robert (R-VA, 5th)
Issa, Darrell (R-CA, 49th)
Johnson, Sam (R-TX, 3rd)
Jones, Walter B. (R-NC, 3rd)
Kelly, Mike (R-PA, 3rd)
Kingston, Jack (R-GA, 1st)
Kuster, Ann McLane (D-NH, 2nd)
Labrador, Raúl (R-ID, 1st)
LaMalfa, Doug (R-CA, 1st)
Lamborn, Doug (R-CO, 5th)
Lance, Leonard (R-NJ, 7th)
Lankford, James (R-OK, 5th)
LoBiondo, Frank A. (R-NJ, 2nd)
Long, Billy (R-MO, 7th)
Luján, Ben R. (D-NM, 3rd)
Lummis, Cynthia M. (R-WY, At Large)

Marchant, Kenny E. (R-TX, 24th)
Marino, Tom (R-PA, 10th)
Matheson, Jim (D-UT, 4th)
McCarthy, Kevin (R-CA, 23rd)
McCaul, Michael (R-TX, 10th)
McClintock, Tom (R-CA, 4th)
McHenry, Patrick (R-NC, 10th)
McKinley, David B. (R-WV, 1st)
McMorris Rodgers, Cathy (R-WA, 5th)
Meadows, Mark (R-NC, 11th)
Meehan, Pat (R-PA, 7th)
Michaud, Mike (D-ME, 2nd)
Miller, Jeff (R-FL, 1st)
Moran, Jim (D-VA, 8th)
Mullin, Markwayne (R-OK, 2nd)
Mulvaney, Mick (R-SC, 5th)
Neugebauer, Randy (R-TX, 19th)
Nugent, Richard (R-FL, 11th)
Nunes, Devin (R-CA, 22nd)
Nunnelee, Alan (R-MS, 1st)
Olson, Pete (R-TX, 22nd)
Owens, Bill (D-NY, 21st)
Palazzo, Steven (R-MS, 4th)
Pearce, Steve (R-NM, 2nd)
Perry, Scott (R-PA, 4th)
Pingree, Chellie M. (D-ME, 1st)
Pittenger, Robert (R-NC, 9th)
Pitts, Joe (R-PA, 16th)
Poe, Ted (R-TX, 2nd)
Posey, Bill (R-FL, 8th)
Price, Tom (R-GA, 6th)
Radel, Trey (R-FL, 19th)
Reed, Tom (R-NY, 23rd)
Rice, Tom (R-SC, 7th)
Richmond, Cedric L. (D-LA, 2nd)
Rigell, Scott (R-VA, 2nd)
Roe, Phil (R-TN, 1st)
Rogers, Mike (R-MI, 8th)
Rohrabacher, Dana (R-CA, 48th)
Rooney, Tom (R-FL, 17th)
Ross, Dennis A. (R-FL, 15th)
Rothfus, Keith J. (R-PA, 12th)
Sanchez, Loretta (D-CA, 46th)
Schrader, Kurt (D-OR, 5th)
Schweikert, David (R-AZ, 6th)
Scott, Austin (R-GA, 8th)
Scott, Bobby (D-VA, 3rd)
Scott, David (D-GA, 13th)
Sensenbrenner, Jim Jr. (R-WI, 5th)
Sessions, Pete (R-TX, 32nd)
Shuster, Bill (R-PA, 9th)
Simpson, Mike (R-ID, 2nd)

Smith, Lamar S. (R-TX, 21st)
Stewart, Chris (R-UT, 2nd)
Thompson, Bennie G. (D-MS, 2nd)
Thompson, Glenn W. (R-PA, 5th)
Thornberry, Mac (R-TX, 13th)
Valadao, David G. (R-CA, 21st)
Veasey, Marc (D-TX, 33rd)
Vela, Filemon (D-TX, 34th)
Walberg, Tim (R-MI, 7th)
Walden, Greg (R-OR, 2nd)
Weber, Randy (R-TX, 14th)
Webster, Daniel A. (R-FL, 10th)
Welch, Peter (D-VT, At Large)
Westmoreland, Lynn A. (R-GA, 3rd)
Williams, Roger (R-TX, 25th)
Wilson, Joe (R-SC, 2nd)
Wittman, Rob (R-VA, 1st)
Wolf, Frank R. (R-VA, 10th)
Womack, Steve (R-AR, 3rd)
Woodall, Rob (R-GA, 7th)
Yoho, Ted (R-FL, 3rd)
Young, Don (R-AK, At Large)

From: Vaught, Laura
Sent: Thursday, October 31, 2013 10:11 AM
To: Mackay, Cheryl
Cc: Lewis, Josh; Distefano, Nichole
Subject: Fw: RFS Letter

Can you get this into system? Thanks! Sending separately a handy list she sent of signatories.

From: Meadows, Carrie <Carrie.Meadows@mail.house.gov>
Sent: Thursday, October 31, 2013 9:53:26 AM
To: Vaught, Laura
Subject: RFS Letter

Hi Laura,

I hope you are well! We faxed this, but I wanted to send to you too so you had a copy. Please let me know if you have any questions.

Carrie

Carrie Meadows
Legislative Director
Office of Congressman Bob Goodlatte
(202) 225-5431 Phone
(202) 225-9681 Fax

February 4, 2014

EPA
Laura Vaught
Associate Administrator for Congressional and Intergovernmental Relations
Environmental Protection Agency
1200 Pennsylvania Avenue, NW, Room 3426 Arn
Washington, DC 20460-0001

Dear Friend,

Enclosed you will find a request for assistance from a constituent of mine, Mr. Michael O. Bradley. I believe you will find the letter to be self-explanatory.

Please review this matter and provide me with a response which I may share with my constituent.

Thank you for your time and attention in this matter.

Sincerely,

A handwritten signature in black ink that reads "Diane Black". The signature is written in a cursive, flowing style.

Diane Black
Member of Congress

DB/bw

Enclosures



From the Office of
CONGRESSMAN DIANE BLACK

Tennessee's 6th District

Bonny Warren, Case Worker
321 E Spring Street, Suite 301
Cookeville, TN 38501

(931) 854-0069 (phone)

(615) 206-8980 (fax)

Bonny.Warren@mail.house.gov

Facsimile Transmission

To: EPA Date: 2/4/14

Fax: 202-501-1519 Phone: _____

From: Bonny Warren Pages: 11

Subject: Inquiry

Comments:



Congressional Inquiry

The Office of Congressman Blake Farenthold
27th District, Texas

Date: February 4, 2014

Pages: 3 (Including Cover)

To: Laura Vaught
Environmental Protection Agency
ATTN: Congressional Liaison

Fax: 202.501.1519

From: Melissa Ndip
Constituent Liaison
(361)884-2222
Melissa.Ndip@Mail.House.Gov

Address: Corpus Christi District Office
101 N. Shoreline Blvd., Ste. 300
Corpus Christi, Texas 78401
Phone: (361)884-2222
Fax: (361)884-2223

Constituent Name: Lorenzo G. Flores
Social Security Number: (b) (6)
Date of Birth: (b) (6)

Reason for Inquiry: Please review the attached constituent concern and provide a response. Thank you in advance.

Signed:  -Caseworker

U.S. Congressman • Tennessee's 6th District

Diane Black

PRIVACY RELEASE

In accordance with the Privacy Act of 1974 (5 U.S.C. § 552), I hereby authorize Congressman Diane Black, or a designated member of her staff, to inquire with the appropriate federal agencies stated below to provide assistance or to resolve the matter described below.

Signature: Michael O. Bradley Date: 1/30/14

To begin processing your case, please PRINT LEGIBLY and complete all of the following information:

Name: Michael O. BRADLEY
Home Address: (b) (6)
City: Cottontown State: TN ZIP: 37048
County: Sumner Date of Birth: (b) (6)
Home Phone: (b) (6) Mobile Phone: (b) (6)
E-mail Address: (b) (6)
Social Security #: (b) (6)

Have contacted Senator Alexander ☐ or Senator Corker ☐ about your problem?

Federal agency with which you need help: EPA

(If yours is an IRS problem please include each specific tax year on the signed Privacy Release form for which you are asking assistance. Examples: 2012 refund, 2010 audit reconsideration, 2011 stolen identity, or 2008, 2009, 2012 balances due.)

-Briefly explain the problem or the information desired* (Continue on additional page if necessary):

Attached

*Please include COPIES of any relevant documentation related to your request.

Also include the following information if relevant:

IMMIGRATION:

Alien #: _____
Form #: _____ Date Filed: _____
USCIS Receipt #: _____
Embassy Case #: _____

MILITARY/VETERANS:

Branch of Service: _____
Rank: _____
VA File #: _____
Dates of Service: _____

- ON MARCH 22, 2011 an out of state commercial applicator sprayed herbicides on a wheat crop adjacent to our farm under high wind conditions
- Wind direction and speed was such that the spray drift covered our entire farm.
- The TDA pesticide inspector first discovered that the out of state commercial applicator was not chartered to perform spray applications in TN. and therefore issued a STOP WORK ORDER.
- Although the 2 chemicals that were sprayed on the wheat crop are labeled and legal for that crop, both chemicals are off label and illegal for food crops, making our fruit crops unsafe and illegal for sale.
- The chemicals that were used were:
 - 3-4D Ester
 - Alachlor Extra
- The maximum wind speeds allowed by the chemical labels is 10 mph. Wind speed at the time of the incident as reported by the National Weather Service was 13-18 mph with gusts to 28 mph.

- In addition to the disregard for the wind speed and direction, no caution was exercised as to the proximity to our greenhouses (also stated in chemical labels)
- Worker Re-entry time (RET) for both of these chemicals is 12 hours. Both my wife and I were outside working at the time of the spraying and in the direct path of the spray drift.
- TDA Regulatory Services involved in all sampling and testing of crop material and soil
- There has also been extensive involvement of UT Extension Personnel and Specialists
- TDA performed multiple tests of the various crops at various times and stages of progressive damage
- 3 months after incident 2-4D ester continued to be detectable in Peach Fruit
- CROP LOSSES IN 2011
 - 6 ACRES STRAWBERRIES
 - 2 ACRES Blackberries
 - 2 ACRES Peaches
 - GREENHOUSE Tomato Crop

- Although TDA stated that that they ~~was~~ were pleased with our decision not to market our crops they declined to officially condemn the crops or take any official position or support for our decision not to ~~not~~ market our crops to the public.
- TDA information states that TDA is responsible for enforcing all state and Federal laws and regulations
- Chemical labels state that violation of the label is a direct Federal (EPA) violation
- When EPA was asked for their position, the only reply we have had was that the issue was being looked at
- Richard Corbett was the EPA contact person - Atlanta, GA.
- EPA was quick to state that TDA was responsible for the Federal laws & regulations within the state
- On 9/15/11 we had a group meeting with TDA personnel at Ellington Ag. Center. In attendance were, Jimmy Hopper director of TDA Regulatory Services, Kathy Butler TDA Lab, John Sanford and Buddy Woodson Food safety officers, Richard Corbett - EPA, John Pelgrim (our attorney), and Bob Argy (our Sumner County UT Extension agent).

When asked if TDA thought we made the right decision not to market our crops to the public, Jimmy Hopper replied they were glad we made the decision not to market and had we decided to do otherwise TDA would have tried to prevent SALE. TDA also stated in this meeting that TDA could not enforce a penalty on an out of state entity for not being chartered to operate in TN. How can there be a requirement to be chartered and licensed yet be no penalty for non-compliance?

- All of this information leads to our complaint that within this circle of Regulatory agencies no one is willing to take responsibility and do their job as the written law says they are to do. There is an enormous amount of information, test results, documentation, and IET extension Specialist support yet no one in the regulatory agencies seems to be willing to step inside the circle with us in a reinforcement capacity of the written law and the issue and responsibility of Food Safety. One can be certain that if we had been the negligent and unpermitted party we would have been prosecuted to the fullest.

5

- We strongly feel that this issue not only affects us and our life long work as farmers but also affects the consumers of our entire state and anyone else that might consume the food that we produce. There are certainly some serious weak links in our regulatory system that need to be addressed and changed.

Michael O. Bradley
Cathy W. Bradley

Bradley Homestead Acres & Greenhouse

(b) (6)

Cottontown, TN. 37048

Home Ph.

(b) (6)

Mike Cell #

(b) (6)

Cathy cell #

(b) (6)



**Tennessee Department of Agriculture
Regulatory Services Division, Pesticide Section
Pesticide Investigation Request Form**

Information:

The Tennessee Department of Agriculture is responsible for the enforcement of State and Federal pesticide laws and regulations. By completing the attached form you are providing information needed to investigate the manufacture, sale and/or use application of a pesticide. Submitting this form will authorize the Department to inspect your property if needed, examine and copy any pertinent documents, collect written statements, and take samples if necessary.

The Department is authorized to investigate those cases involving alleged pesticide mis-use, pesticide drift, substandard termite treatments if there is a current contract, failure to issue a termite contract, failure to retreat active termite infestations, certain sales practices leading to the application of a pesticide, pesticide mis-labeling, illegal pesticide applicators, illegal pesticide sales, and illegal pesticide manufacture. The Department regulates Wood Destroying Insect Infestation Inspection Reports known as clearance letters from the perspective of those qualified to issue the reports, conducting inspections, contents of the report, and the penalty for those not qualified to issue these reports.

The Department does not have authority regarding pricing of pesticides and/or pesticide application services, contractual disputes over payment, non-pesticide services, and personal or property damage disputes. These issues are usually of a civil nature. You may find assistance through the Tennessee Division of Consumer Affairs at 1-800-342-8385 or your local Better Business Bureau.

For questions concerning pesticides you may contact your health care provider. You may also find health and pesticide safety information by contacting the EPA National Pesticide Info Center at 1-800-858-7378.

Instructions:

The Tennessee Department of Agriculture requires that all Pesticide Investigation Requests be submitted in written form. Please complete the attached form providing as much information as possible and attach copies of all pertinent documents such as contracts, service tickets, canceled checks (front and back), letters, diagrams or photographs. Incomplete forms and documentation not included will delay the processing of your complaint.

Return your completed form to the address listed below.

Tennessee Department of Agriculture, Regulatory Services Division, Pesticide Section, P.O. Box 40627, Melrose Station, Nashville, TN 37204, Phone: 615-837-5148, Outside the local calling area: 1-800-628-2631; Fax: 615-837-5012

Upon receipt of the Pesticide Investigation Request Form, an inspector in your area will contact you and discuss your request prior to beginning any investigation. Responses will be prioritized based on the nature of the request.

**TENNESSEE DEPARTMENT OF AGRICULTURE****JULIUS JOHNSON**
COMMISSIONER**REGULATORY SERVICES**
Ag Inputs and Pesticides

August 30, 2011

Mr. Marc Price
Southern States
301 Finn St.
Franklin, TN 42134**TDA Case File # 0329110470901**

Dear Mr. Price:

This letter constitutes a **warning** pursuant to Section 62-21-116 known as the Tennessee Application of Pesticides Act of 1978 and notifies you that there is a reason to believe that you are in violation of said Act.

This action follows an agricultural pesticide use inspection performed by TDA Pesticide Inspector Jeff Morris commencing on March 29, 2011. The inspection was the result of concerns Mr. Michael Bradley had about a possible spray drift on his property from a pesticide application to his adjoining property. The inspection revealed that Southern States Simpson Coop made an application of 2,4-D Lo-V Ester (EPA Reg. # 1386-60-72693) and Harmony Extra XP (EPA Reg. # 352-611) to a wheat field belonging to Larry McFarlin on Jake Link Rd in Cottontown, TN on March 22, 2011. Numerous samples were collected from Mr. Bradley's orchard and greenhouse, these samples were submitted to the TDA Environmental Monitoring Lab for analysis. Lab results indicate that numerous samples came back positive for 2,4-D. The inspection concludes that 2,4-D drifted from the targeted site, Mr. McFarlin's wheat field, onto Mr. Bradley's property.

Inspector Morris issued you a violation for 62-21-116 for failure to use a pesticide consistent with its labeling on April 29, 2011 and advised you to follow label directions at all times.

Any further violations may result in a civil penalty being imposed.

Tennessee Application of Pesticides Act of 1978**T.C.A. 62-21-116. Use of pesticide consistent with labeling.**

No person shall use a pesticide in a manner inconsistent with its labeling.

If I can be of further assistance, please give me a call at (615) 837-5148.

Sincerely,

Kathy Booker, Administrator
Pesticidescc: Mark Freeland, Middle TN Regional Supervisor
Jeff Morris, Pesticide Inspector II

Ellington Agricultural Ctr, Box 40627, Nashville, TN 37204 Phone (615) 837-5148 Fax (615) 837-5012



TENNESSEE DEPARTMENT OF AGRICULTURE

JULIUS JOHNSON
COMMISSIONER

REGULATORY SERVICES
Ag Inputs and Pesticides

September 2, 2011

Mr. Richard Corbett, Project Officer
U S EPA, Region 4
Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303 - 8960

Dear Mr. Corbett:

Enclosed you will find a copy of the entire case file regarding the Bradley drift case. TDA is referring this case to EPA Region IV for review and consideration of further action. As you are aware, TDA cannot issue civil penalties to those entities that do not hold a certificate or charter in TN. Southern States is out of Franklin, Kentucky.

Thanking you in advance for your consideration of this matter.

Should you have any questions, don't hesitate to give me a call at 615-837-5133 or email:
kathy.booker@tn.gov

Sincerely,


Kathy Booker, Administrator
Pesticides

cc: Jimmy Hopper, Director, Regulatory Services Division
Mark Freeland, Middle TN Regional Supervisor
Jeff Morris, TDA Pesticide Inspector
Mr. Mike Bradley, Bradley Kountry Acres

Congress of the United States
Washington, DC 20515

May 1, 2014

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

The Honorable John M. McHugh
Secretary
Department of the Army
The Pentagon, Room 3E700
Washington, D.C. 20310

Dear Administrator McCarthy and Secretary McHugh:

We write to express our serious concerns with the proposed rule re-defining the scope of federal power under the Clean Water Act (CWA) and ask you to return this rule to your Agencies in order to address the legal, economic, and scientific deficiencies of the proposal.

On March 25, 2014, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (USACE) released a proposed rule that would assert CWA jurisdiction over nearly all areas with any hydrologic connection to downstream navigable waters, including man-made conveyances such as ditches. Contrary to your agencies' claims, this would directly contradict prior U.S. Supreme Court decisions, which imposed limits on the extent of federal CWA authority. Although your agencies have maintained that the rule is narrow and clarifies CWA jurisdiction, it in fact aggressively expands federal authority under the CWA while bypassing Congress and creating unnecessary ambiguity. Moreover, the rule is based on incomplete scientific and economic analyses.

The rule is flawed in a number of ways. The most problematic of these flaws concerns the significant expansion of areas defined as "waters of the U.S." by effectively removing the word "navigable" from the definition of the CWA. Based on a legally and scientifically unsound view of the "significant nexus" concept espoused by Justice Kennedy, the rule would place features such as ditches, ephemeral drainages, ponds (natural or man-made), prairie potholes, seeps, flood plains, and other occasionally or seasonally wet areas under federal control.

Additionally, rather than providing clarity and making identifying covered waters "less complicated and more efficient," the rule instead creates more confusion and will inevitably cause unnecessary litigation. For example, the rule heavily relies on undefined or vague concepts such as "riparian areas," "landscape unit," "floodplain," "ordinary high water mark" as determined by the agencies' "best professional judgment" and "aggregation." Even more egregious, the rule throws into confusion extensive state regulation of point sources under various CWA programs.

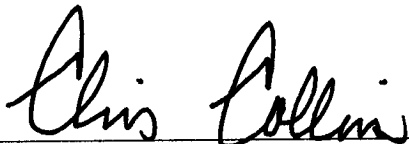
In early December of 2013, your agencies released a joint analysis stating that this rule would subject an additional three percent of U.S. waters and wetlands to CWA jurisdiction and that the rule would create an economic benefit of at least \$100 million annually. This calculation is seriously flawed. In this analysis, the EPA evaluated the FY 2009-2010 requests for jurisdictional determinations – a period of time that was the most economically depressed in

nearly a century. This period, for example, saw extremely low construction activity and should not have been used as a baseline to estimate the incremental acreage impacted by this rule. In addition, the derivation of the three percent increase calculation did not take into account the landowners who – often at no fault of their own – do not seek a jurisdictional determination, but rather later learn from your agencies that their property is subject to the CWA. These errors alone, which are just two of many in EPA's assumptions and methodology, call into question the veracity of any of the conclusions of the economic analysis.

Compounding both the ambiguity of the rule and the highly questionable economic analysis, the scientific report – which the agencies point to as the foundation of this rule – has been neither peer-reviewed nor finalized. The EPA's draft study, "Connectivity of Streams and Wetlands to Downstream Waters: A Review and Synthesis of the Scientific Evidence," was sent to the EPA's Science Advisory Board to begin review on the same day the rule was sent to OMB for interagency review. The science should always come before a rulemaking, especially in this instance where the scientific and legal concepts are inextricably linked.

For all these reasons, we ask that this rule be withdrawn and returned to your agencies. This rule has been built on an incomplete scientific study and a flawed economic analysis. We therefore ask you to formally return this rule to your agencies.

Sincerely,



CHRIS COLLINS
Member of Congress



KURT SCHRADER
Member of Congress



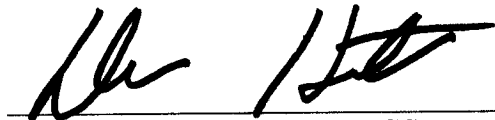
BILL SHUSTER
Chairman
House Committee on
Transportation and Infrastructure



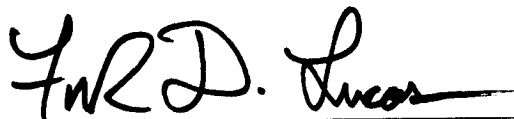
LAMAR SMITH
Chairman
House Committee on
Science, Space, and Technology



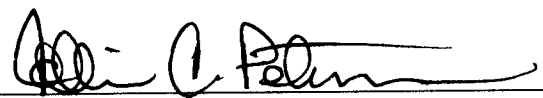
FRED UPTON
Chairman
House Committee on
Energy and Commerce



DOC HASTINGS
Chairman
House Committee on
Natural Resources



FRANK LUCAS
Chairman
House Committee on Agriculture



COLLIN PETERSON
Ranking Member
House Committee on Agriculture

Ed Whitfield

Ken Calvert

Ron Lambert

Jim Walker

Steve King

JT Smith

Dr Yarny

Dan Riker

John Kotter

Fah Uela

Bill Byrd

M.C.

Ron E. Foster

Vee Terry
Lynne Baker

Adrian Pariter

John G. Manning

John Banner

Walter B. Jones

Mike Simpson

~~Charles B. Akers~~

Bill Owens

Tom Sisk

Jim Sisk W1-05

Robert J. With VA-01

Rat Tiliu

Sydney P. Lummis

J P Lummis

Bazzy

Tim Hurlburt

Alaska Blackburn

Ken Yoder

Julie Wink

Odd Roberts

Jan F. L.

Mark V. Amaro

Van H. J.

Milly P. Pompeo

Joe Baratta

Mike Karanthod

John Henry

Gene R. Tipton

Jim Bidmstein

Long Adams

T. R.

Chuck Fleish

Paul Scott

R. A. Nam

Thomas Massie

Brett Guthrie

Jim Jim M.C.

Ch Stewart

Ann Sch

Larry Bueh

~~Tom~~ Tom

Kay Jones

Bill Fum

16 Mar 1991

Highland

D. Bunker

Bill Caridy

Gregg Harper

Glen GT Thompson

Archie Rye (M-03)

La Van

Jayong

Vicky Hartzler

Lynn Jenkins

Ken Cane

Gene Womack

Roger Williams

Jaime Herrera Beutler

Terri Sewell

Tin L. L. (AR-02)

Fred R. W. W.

A. P. C.

Sam S. S.

Alan S.

Paul N.

Dilly Song

Susan W. Brooks

Mark Kelly

J. J.

Bill Johnson

Andreas

Bob H.

Bob H.

Miss M.

for A.

Andy B.

Andy B.

Andy B.

Ken R.

Rail R. Labrador

Andreas

Andreas

Will S.

R. Woodall

CPH

Duane Black

Mo Brooks

B

Kerry W. Smith

Grant Jones

Ch Bondary

Nikhil Gupta

John Culberson

Dr. M. Bilinski

Luke Menna

Mark Wayne Mullin

Pat Skyles

Don B. Agel

Ch. J.

Hunt

Sam Johnson

Mark Skyles

~~AWWWWW~~

CE W. Ditt

Sam Krystas

J. P. Dizon

Tom Perkins

Tom Rice

John H. H. 11-03

John H. 11-03

Robert Pittenger

Pete Olson

Pat H.

H. Viny

S. Holby

Rene J. H.

Kevin M. Cant

Virginia Cox

Mar 7/11

Kevin E. Paulsen

Erik Paulsen

Joe Heck

John E.

Tom Marino

Darin Noveck

Michael A. Amodeo

K. M. Long

Jim G.

St. Chab

Rubin Hongoria

Greg Walden

Howard Cobb

Ja Borton

Frank R. Wiley

R. Raskin

Kerry Bestwick

Cathy McNamee

Paul Cook

Shane R. Lettice

Jim Rahall

Joe Wilson

Scott Smith

Michael R. Jones

Angela Miller

~~_____~~

Patrick J. McHenry

Howard E. Burt McCon

Member	Party	District
Don Young	R	AK-AL
Bradley Byrne	R	AL-1
Martha Roby	R	AL-2
Mike Rogers	R	AL-3
Robert Aderholt	R	AL-4
Mo Brooks	R	AL-5
Spencer Bachus	R	AL-6
Terri Sewell	D	AL-7
Rick Crawford	R	AR-1
Tim Griffin	R	AR-2
Steve Womack	R	AR-3
Tom Cotton	R	AR-4
Paul Gosar	R	AZ-4
Matt Salmon	R	AZ-5
David Schweikert	R	AZ-6
Trent Franks	R	AZ-8
Doug LaMalfa	R	CA-1
Jeff Denham	R	CA-10
Jim Costa	D	CA-16
David Valadao	R	CA-21
Devin Nunes	R	CA-22
Kevin McCarthy	R	CA-22
Howard "Buck" McKeon	R	CA-25
Gary Miller	R	CA-31
Tom McClintock	R	CA-4
Ken Calvert	R	CA-42
Dana Rohrabacher	R	CA-48
Darrell Issa	R	CA-49
Paul Cook	R	CA-8
Scott Tipton	R	CO-3
Cory Gardner	R	CO-4
Doug Lamborn	R	CO-5
Mike Coffman	R	CO-6
Jeff Miller	R	FL-1
Rich Nugent	R	FL-11
Gus Bilirakis	R	FL-12
Tom Rooney	R	FL-17
Steve Southerland	R	FL-2
Mario Diaz-Balart	R	FL-25
Ileana Ros-Lehtinen	R	FL-27
Ted Yoho	R	FL-3
Ron DeSantis	R	FL-6
John Mica	R	FL-7
Jack Kingston	R	GA-1
Paul Broun	R	GA-10
Phil Gingrey	R	GA-11

John Barrow	D	GA-12
David Scott	D	GA-13
Tom Graves	R	GA-14
Sanford Bishop	D	GA-2
Lynn Westmoreland	R	GA-3
Tom Price	R	GA-6
Rob Woodall	R	GA-7
Austin Scott	R	GA-8
Doug Collins	R	GA-9
Tom Latham	R	IA-3
Steve King	R	IA-5
Raul Labrador	R	ID-1
Michael Simpson	R	ID-2
William Enyart	D	IL-12
Rodney Davis	R	IL-13
Randy Hultgren	R	IL-14
John Shimkus	R	IL-15
Adam Kinzinger	R	IL-16
Aaron Schock	R	IL-18
Peter Roskam	R	IL-6
Jackie Walorski	R	IN-2
Marlin Stutzman	R	IN-3
Todd Rokita	R	IN-4
Susan Brooks	R	IN-5
Luke Messer	R	IN-6
Larry Bucshon	R	IN-8
Todd Young	R	IN-9
Tim Huelskamp	R	KS-1
Lynn Jenkins	R	KS-2
Kevin Yoder	R	KS-3
Mike Pompeo	R	KS-4
Ed Whitfield	R	KY-1
Brett Guthrie	R	KY-2
Thomas Massie	R	KY-4
Hal Rogers	R	KY-5
Andy Barr	R	KY-6
Cedric Richmond	D	LA-2
Charles Boustany	R	LA-3
John Fleming	R	LA-4
Vance McAllister	R	LA-5
Bill Cassidy	R	LA-6
Andy Harris	R	MD-1
Dan Benishek	R	MI-1
Candice Miller	R	MI-10
Kerry Bentivolio	R	MI-11
Bill Huizenga	R	MI-2
Justin Amash	R	MI-3

Dave Camp	R	MI-4
Fred Upton	R	MI-6
Tim Walberg	R	MI-7
Mike Rogers	R	MI-8
John Kline	R	MN-2
Erik Paulsen	R	MN-3
Michele Bachmann	R	MN-6
Collin Peterson	D	MN-7
Ann Wagner	R	MO-2
Blaine Luetkemeyer	R	MO-3
Vicky Hartzler	R	MO-4
Sam Graves	R	MO-6
Billy Long	R	MO-7
Jason Smith	R	MO-8
Alan Nunnelee	R	MS-1
Bennie G. Thompson	D	MS-2
Gregg Harper	R	MS-3
Steven Palazzo	R	MS-4
Patrick McHenry	R	NC-10
Mark Meadows	R	NC-11
George Holding	R	NC-13
Renee Ellmers	R	NC-2
Walter Jones	R	NC-3
Virginia Foxx	R	NC-5
Howard Coble	R	NC-6
Mike McIntyre	D	NC-7
Richard Hudson	R	NC-8
Robert Pittenger	R	NC-9
Kevin Cramer	R	ND-AL
Lee Terry	R	NE-2
Adrian Smith	R	NE-3
Scott Garrett	R	NJ-5
Steve Pearce	R	NM-2
Mark Amodei	R	NV-2
Joe Heck	R	NV-3
Michael Grimm	R	NY-11
Chris Gibson	R	NY-19
Peter King	R	NY-2
Bill Owens	D	NY-21
Richard Hanna	R	NY-22
Tom Reed	R	NY-23
Chris Collins	R	NY-27
Steve Chabot	R	OH-1
Michael Turner	R	OH-10
Patrick Tiberi	R	OH-12
David Joyce	R	OH-14
Steve Stivers	R	OH-15

Jim Renacci	R	OH-16
Brad Wenstrup	R	OH-2
Jim Jordan	R	OH-4
Robert Latta	R	OH-5
Bill Johnson	R	OH-6
Bob Gibbs	R	OH-7
Jim Bridenstine	R	OK-1
Markwayne Mullin	R	OK-2
Frank Lucas	R	OK-3
James Lankford	R	OK-5
Greg Walden	R	OR-2
Kurt Schrader	D	OR-5
Tom Marino	R	PA-10
Lou Barletta	R	PA-11
Keith Rothfus	R	PA-12
Charlie Dent	R	PA-15
Joe Pitts	R	PA-16
Tim Murphy	R	PA-18
Mike Kelly	R	PA-3
Scott Perry	R	PA-4
Glenn 'GT' Thompson	R	PA-5
Jim Gerlach	R	PA-6
Patrick Meehan	R	PA-7
Mike Fitzpatrick	R	PA-8
Bill Shuster	R	PA-9
Mark Sanford	R	SC-1
Joe Wilson	R	SC-2
Jeff Duncan	R	SC-3
Mick Mulvaney	R	SC-5
Tom Rice	R	SC-7
Kristi Noem	R	SD-AL
Phil Roe	R	TN-1
John J. Duncan, Jr.	R	TN-2
Chuck Fleischmann	R	TN-3
Scott DesJarlais	R	TN-4
Diane Black	R	TN-6
Marsha Blackburn	R	TN-7
Stephen Fincher	R	TN-8
Louie Gohmert	R	TX-1
Michael McCaul	R	TX-10
K. Michael Conaway	R	TX-11
Kay Granger	R	TX-12
Mac Thornberry	R	TX-13
Randy Weber	R	TX-14
Ruben Hinojosa	D	TX-15
Bill Flores	R	TX-17
Randy Neugebauer	R	TX-19

Ted Poe	R	TX-2
Lamar Smith	R	TX-21
Pete Olson	R	TX-22
Pete Gallego	D	TX-23
Kenny Marchant	R	TX-24
Roger Williams	R	TX-25
Michael Burgess	R	TX-26
Blake Farenthold	R	TX-27
Henry Cuellar	D	TX-28
Sam Johnson	R	TX-3
John Carter	R	TX-31
Pete Sessions	R	TX-32
Marc Veasey	D	TX-33
Filemon Vela	D	TX-34
Steve Stockman	R	TX-36
Ralph Hall	R	TX-4
Jeb Hensarling	R	TX-5
Joe Barton	R	TX-6
John Culberson	R	TX-7
Kevin Brady	R	TX-8
Rob Bishop	R	UT-1
Chris Stewart	R	UT-2
Jason Chaffetz	R	UT-3
Jim Matheson	D	UT-4
Robert Wittman	R	VA-1
Frank Wolf	R	VA-10
Scott Rigell	R	VA-2
J. Randy Forbes	R	VA-4
Robert Hurt	R	VA-5
Bob Goodlatte	R	VA-6
Morgan Griffith	R	VA-9
Jaime Herrera Beutler	R	WA-3
Doc Hastings	R	WA-4
Cathy McMorris Rodgers	R	WA-5
Dave Reichert	R	WA-8
Paul Ryan	R	WI-3
Jim Sensenbrenner	R	WI-5
Tom Petri	R	WI-6
Sean Duffy	R	WI-7
Reid Ribble	R	WI-8
David McKinley	R	WV-1
Shelly Moore Capito	R	WV-2
Nick Rahall	D	WV-3
Cynthia Lummis	R	WY-AL

Eades, Cassandra

From: Lewis, Josh
Sent: Tuesday, May 27, 2014 1:08 PM
To: Eades, Cassandra; Mims, Kathy
Cc: Mackay, Cheryl
Subject: FW: Member Letter to Administrator McCarthy on Comment Period for upcoming GHG rule
Attachments: Final GHG 120 day comment period letter.pdf

For CMS...

From: Orth, Patrick [mailto:Patrick.Orth@mail.house.gov]
Sent: Friday, May 23, 2014 2:37 PM
To: Distefano, Nichole; Lewis, Josh
Cc: Baker III, John; Beukelman, Jan; Hart, Ryan (Rep. Jason Smith)
Subject: Member Letter to Administrator McCarthy on Comment Period for upcoming GHG rule

Nichole and Josh – attached is a letter from 178 bipartisan Members of the House asking ‘for a comment period of at least 120 days on the forthcoming new source performance standards for existing coal-based power plants.’ My boss, Mr. Johnson (OH), Mr. Thompson (MS), Mr. Smith, and Mr. Matheson were the 4 co-leads on the letter. I’ve copied the full list of names below since many signatures are hard to read. Please let us know if you have any questions and have a great holiday weekend.

Best regards,

Patrick

Patrick Orth
Legislative Director
Congressman Bill Johnson, OH-6
202-225-5705
patrick.orth@mail.house.gov

Bill Johnson
Bennie Thompson
Jason Smith
Matheson
Steve Daines
Dennis Ross
Walter Jones
Tom Rooney
Gene Green
Reid Ribble
Dave Jolly
Collin C. Peterson
Jim Costa
Kevin Cramer

Mario Diaz-Balart
Jeff Miller (FL)
Henry Cuellar
Randy Hultgren
David McKinley
Steve Southerland
Daniel Webster
Ted Yoho
John Duncan (TN)
Lee Terry
Steve Stivers
Ander Crenshaw
Stephen Fincher
Ed Perlmutter
Morgan Griffith
Sam Graves
Paul Broun
James Lankford
Vicky Hartzler
Billy Long
Bob Latta
Tom Price
Mac Thornberry
Dan Benishek
Steve King
Steven M. Palazzo
Jason Chaffetz
Phil Roe
Rob Bishop
Mike McIntyre
Robert Aderholt
Bob Gibbs
Dave Loebsack
Shelley Moore
Capito
David Joyce
Bill Huizenga
Mark Meadows
Gus Bilirakis
Alan Nunnelee
Trent Franks
Spencer Bachus
Pete P. Gallego
Jackie Walorski

Blaine
Luetkemeyer
Diane Black
Tom Reed
Patrick J. Tiberi
Cynthia Lummis
Mick Mulvaney
Gregg Harper
Aaron Schock
Ileana Ros-
Lehtinen

Howard Coble
Steve Pearce
Jeff Fortenberry
Ann Kirkpatrick
Keith Rothfus
Robert Pittenger
Cheri Bustos
David Scott
Tom Cole
Adam Kinzinger
Scott Garrett
Markwayne Mullin
Kristi Noem
Mike Rogers (AL)
Tim Walberg
Ann Wagner
Tom Graves
Mark Amodei
Charles Boustany
Rick Crawford
Ron Barber
Mike Conaway
Nick Rahall
Duncan Hunter
Jim Jordan
Cory Gardner
Sean Duffy
Jack Kingston
Tom Cotton
Tim Huelskamp
Scott DesJarlais
Marsha Blackburn
Lynn
Westmoreland

Lynn Jenkins
Steve Womack
Tim Griffin
Paul Gosar
Rob Woodall
Michele Bachmann
Austin Scott
Phil Gingrey
Tim Murphy
Sanford Bishop
Rich Nugent
Tom Rice
Martha Roby
David Schweikert
Don Young (AL)
Jim Renacci
Doug Collins (GA)
Doug Lamborn
John Barrow
Andy Barr
Mike Pompeo
Tom Petri
Tim Walz
Charlie Dent
Chuck Fleischmann
Steve Stockman
Frank Lucas
Chris Collins (NY)
William L. Enyart
Kristen Sinema
Scott Tipton
Thomas Massie
Mark Sanford
Brad Wenstrup
Ruben Hinojosa
Randy Neugebauer
Mike Coffman
Luke Messer
Richard Hudson
Jeff Duncan
John Kline
Larry Bucshon
Ron DeSantis
Adrian Smith

Todd Rokita
Todd Young
Glenn Thompson
Robert Hurt
G. K. Butterfield
Joe Wilson
Kurt Schrader
Randy Weber
Tom Marino
Chris Gibson
Brett Guthrie

Vern Buchanan
Terri Sewell
Raúl Labrador
Mike Simpson
Susan Brooks
Devin Nunes
Rodney Davis
Trey Gowdy
Bradley Byrne
Chris Stewart
Cedric L.
Richmond
Danny Davis
Tom Latham
Wm. Lacy Clay
Filemon Vila
Emanuel Cleaver
Renee Ellmers
Joyce Beatty
Virginia Foxx
Steve Chabot
Mike Turner
John Shimkus
Randy Forbes
Marlin Stutzman

Congress of the United States
Washington, DC 20515

May 22, 2014

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator McCarthy:

We are writing to request that the Environmental Protection Agency provide a sufficiently long comment period on its upcoming regulation of greenhouse gases from existing power plants. The Agency should provide at least a 120 day comment period, given the significant impact this rule could have on our nation's electricity providers and consumers, on jobs in communities that have existing coal-based power plants, and on the economy as a whole.

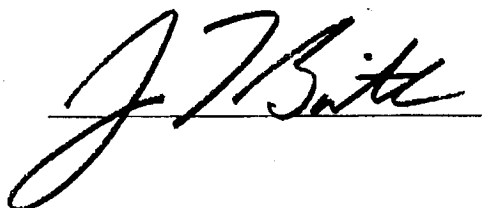
The upcoming proposal will necessarily be more complex for the industry to deal with than the proposal for new plants, and stakeholders will need time to analyze the rule and determine its impact on individual power plants and on the electric system as a whole. This analysis will be no small undertaking, especially since this will be the first ever regulation of greenhouse gases from existing power plants. Additionally, since the EPA extended the original 60 day comment period for the new plant proposal, it makes sense to provide at least the same timeline for the existing plant rule.

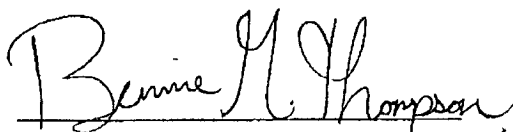
Affordable and reliable electricity is essential to the quality of life to our constituents. While we can all agree that clean air is important, EPA has an obligation to understand the impacts that regulations have on all segments of society. As one step toward fulfilling this obligation, we urge you to provide for a comment period of at least 120 days on the forthcoming new source performance standards for existing coal-based power plants.

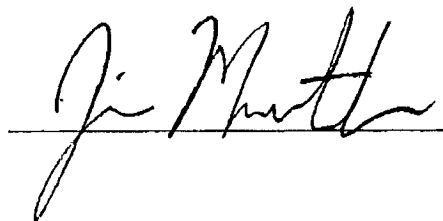
Thank you for your consideration of this request.

Sincerely,









Robert Adenholz

De Yung

Jim Matheson
CPL

Mark R. Shuman

Suzanne Brooks

Kyle S. Jr

Ron Barber

Mac J. Lundy

John Barrow

Shane R. Pettin

Rodney Davis

Raul R. Labrador

Trey Gowdy

Jenni Sewell

Darin Noma

Andre Brusch

No 777

Alan Wagner

Jackie Walveski

K. M. Long

Nickie M. Fortye

Hy Cullen

Frankie Banks

Tim Walberg

Paul Ben

John Kline

~~Bob [unclear]~~

Mike Colman

Q. W. Dutt

Sam Cole

Tim Peters

Chris Cullens

Markwayne Mullin

J. Magnifico

Jayong

A. Bucher IN-08

Paul White

Chui Buxton

Eric Fiers

Vicky Hartman

Rita Ay

Conrad Mylon

Christi Noem^(SD)

Jim Ha

J.P. Cing

Mike Hake

Tri Allen

Midland

Win Zempert

Bob Woodall

Sam

Keith Little

Jeff Fortenberry

Jim Jackson

Orlene Black

Steve Loeback

Billy Long

Ed Palmiter

Sam Lee

Alan Ford

C.W. Bonstetter

Andy Bone

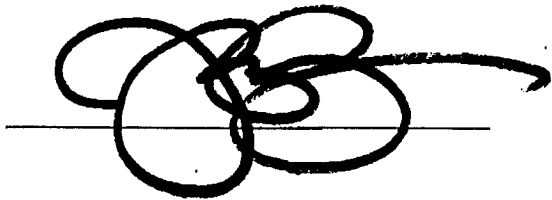
Alfred Lee Ford

Randy K. Weller

Quaker Scott

Tad S. Geko

Oliver GT Thompson
Hunt



J. L. Z

Bill Gray M.C.

D. C. All

Kim Schneider

Don Benishke

W. J. Pomeroy

Tom Huelstberg

Thomas B. Rice

Robert Luttinger

Mike Simpson

John IL-15

Joe Wilber

Rubin Hengosa

Ken Terry NE-2

Paul M

Jack P. Jew

Dan Humphreys

Bill Huizenga

Ch. K.

Frank R. Wainwright

Steve Wamak

Mr. J. R. O.

Lynne Jenkins

Ken Crum

W. J. M.

Pat Tilley

J. Rody Forbes

Vern Buhner

James Buhner

Michael B. Jensen

Scott Garrett

Stu Chabot

Wm. Lacy Clay

Butterfield

Willie Pen

Howard Coble

Danny H. Davis

Adrian Smith

Tom Sisk

Virginia Fox

Ernest Penner

Steve King

Amford D. Bishop Jr.

Gene Green

Steve Chaffetz

Doug Lamborn

Denny

Richard Buchanan

Lynn A. Welch

Steve Pearce

Blaine Luetken

Sen. M. B. B. B.

Mike Rahall

Frank D. Lucas

Jack Kingston

Shelley Moore Capito

Walter B. Jones

Tim Wirth

Rob Bell

Long Adams

Steve Di

Angela

Chris

Mike Kozak

Ch Stewart

Brett Hathorn

Tom Mann

Joyce Beatty

Jackie Walveski

Renee Elie

Fah Vele

Hath Pether

Paul A. Goss

John Messer

Jeff Durr

Shirley Peery

Cynthia D. Lummis

June V. Amos

Marsha Bloom

Conan Hunt

Scott R. Tipton

Tim Beath

Al G. Orr

Odd Pedersen

Chuck Flinn

Steve P. Goss

Y. K. Kilgaff

BA Bick

Gregg Harper

Jeff Miller

Ann Sch

Tom Rice

Nick Sauer

John F. Mallego

Martha Robey

Tom Graves

Tam Cotto

David P. Poe

Randy Huley

Thomas Massie

Michael P. G. AL-3

Richard Hudson

M. M. M.

TN-04

David B. M. T. C.

Chil. T. T. T.

John J. Dunsen Jr.

Congress of the United States
Washington, DC 20515

June 13, 2014

The Honorable Gina McCarthy
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Dear Administrator McCarthy:

After conversations with a number of stakeholders throughout Tennessee, we write regarding the Environmental Protection Agency's (EPA) revised New Source Performance Standards (NSPS) for new residential wood heaters. The NSPS was proposed on January 3, 2014, and we believe that it could potentially have a disproportionate and detrimental impact on those living in rural areas who utilize these residential wood heaters.

First, we are concerned that many of these manufacturers, as small businesses, lack the capability and necessary resources to meet these new standards. Consequently, these proposed standards pose existential concerns to these smaller manufacturers who instead of attempting to meet them, may be forced to exit the industry altogether.

In addition, it is estimated that more than 2.5 million Americans, many of whom live in rural areas, utilize wood burning heaters and similar appliances as their primary source of heat. This is mainly due to cost efficiency, but lack of alternatives is also a factor. While it is our understanding that the current NSPS does not attempt to cover wood heaters currently in use, we believe the present articulation of the EPA proposal would dramatically increase costs and pose undue burdens on those that manufacture new heaters. Consequently, at a time when family budgets are increasingly allocated to rising energy costs, we can ill afford to add to the strain.

Moreover, we believe the EPA's NSPS runs the risk of imposing unintended consequences. For example, many of these products are highly durable and typically last decades. Therefore, rather than reducing the higher emissions wood heaters, an increased cost in production could potentially cause many that were seeking to purchase a more efficient wood heater to continue to utilize the higher emitting appliance.

We respectfully request that you work with industry stakeholders to develop appropriate standards that do not unfairly burden wood heater manufacturers and their customers.

Thank you in advance for the attention to this request and we look forward to your response.

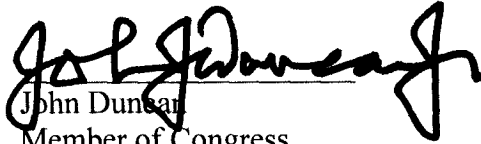
Sincerely,



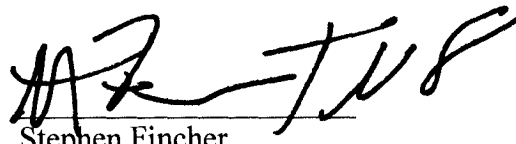
Scott DesJarlais, M.D.
Members of Congress



Phil Roe, M.D.
Member of Congress



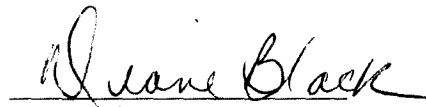
John Duncan
Member of Congress



Stephen Fincher
Member of Congress



Chuck Fleischmann
Member of Congress




Diane Black
Member of Congress




Marsha Blackburn
Member of Congress

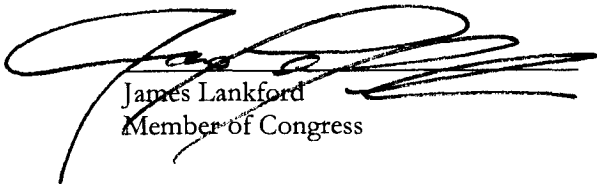
Congress of the United States
Washington, DC 20515




John Kline
Member of Congress




Michael T. McCaul
Member of Congress



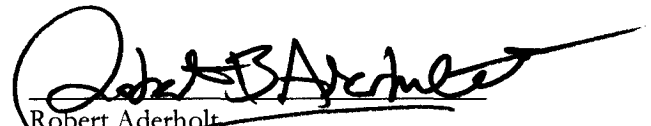
James Lankford
Member of Congress




Steve Scalise
Member of Congress



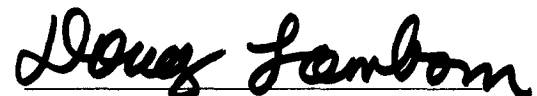
Stevan Pearce
Member of Congress



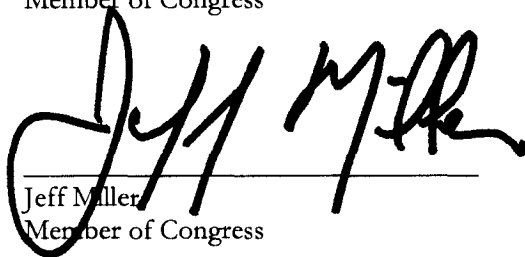
Robert Aderholt
Member of Congress



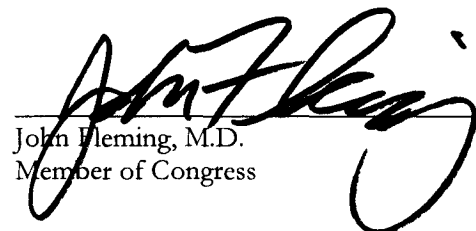
Rob Bishop
Member of Congress



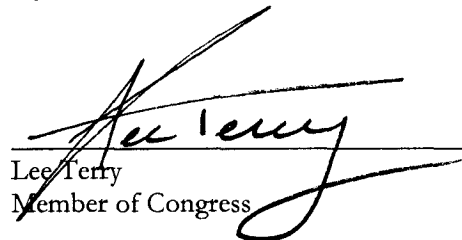
Doug Lamborn
Member of Congress




Jeff Miller
Member of Congress



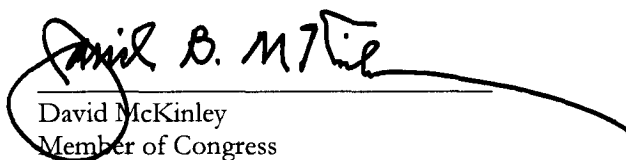
John Fleming, M.D.
Member of Congress



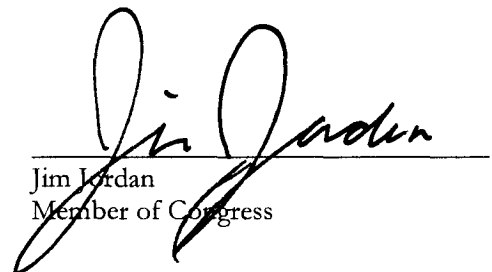
Lee Terry
Member of Congress



Tom McClintock
Member of Congress

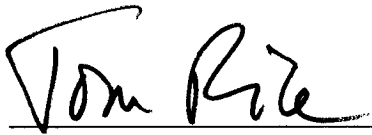


David McKinley
Member of Congress

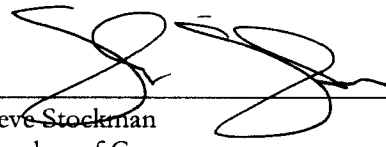


Jim Jordan
Member of Congress

Congress of the United States
Washington, DC 20515



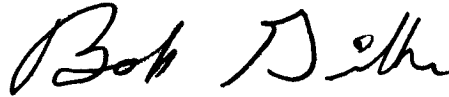
Tom Rice
Member of Congress



Steve Stockman
Member of Congress



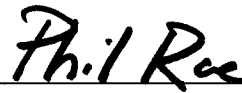
Aaron Schock
Member of Congress



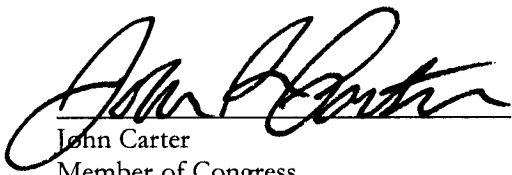
Bob Gibbs
Member of Congress



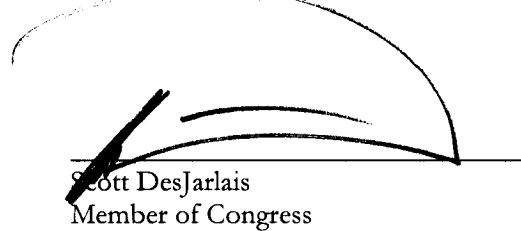
Steven Palazzo
Member of Congress



Phil Roe
Member of Congress



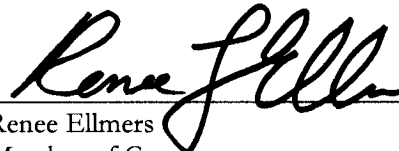
John Carter
Member of Congress



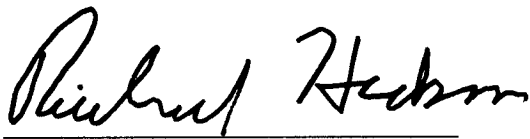
Scott DesJarlais
Member of Congress



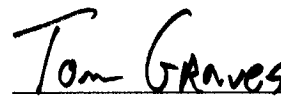
Jackie Walorski
Member of Congress



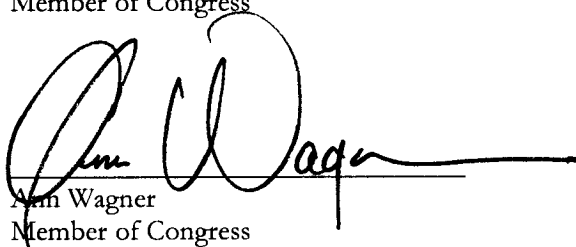
Renee Ellmers
Member of Congress



Richard Hudson
Member of Congress



Tom Graves
Member of Congress



Ann Wagner
Member of Congress



Ander Crenshaw
Member of Congress

Congress of the United States
Washington, DC 20515

June 12, 2014

Gina McCarthy
Environmental Protection Agency
Office of the Administrator #1101A
1200 Pennsylvania Ave, NW
Washington, DC 20460

Dear Administrator McCarthy:

At the end of the 111th Congress, a bill sponsored by Congressmen Henry Waxman and Ed Markey that would have instituted a "cap-and-trade" system to regulate carbon emissions was rejected by the United States Senate.

We believe that the proposed draft regulation that your Agency published on Monday, June 2, 2014, entitled "Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units" seeks to achieve exactly what the United States Senate rejected. More importantly, we believe that the authority to limit carbon emissions, even if that were actually a necessity, rests in neither the Constitution nor the Clean Air Act but in the true free market of individual choices made by the American people. When Americans are free to dream and innovate – not coerced by regulators in Washington who will never have exclusive knowledge of science or the newest technologies – we believe they will always find cheaper, cleaner, safer, and more efficient ways to use and produce energy.

When we try to manage our economy to achieve certain ends, the result is always less innovation and therefore slower economic growth. The American Coalition for Clean Coal Electricity found that regulations with similar goals will cost 178,000 jobs each year for fifteen years. The Heritage Foundation estimates that the effect of this and other unnecessary regulations will decrease aggregate gross domestic product by more than \$2 trillion through 2038, and the average family will lose \$1,200 in annual income by 2023.

In short, Madame Administrator, we believe this carbon dioxide regulation – whose implementation is legally questionable at best – would do untold harm to the American people and our economy for decades to come.

We demand that you immediately rescind this unwise and unconstitutional regulation. We eagerly await your written response.

Blessings and Liberty,



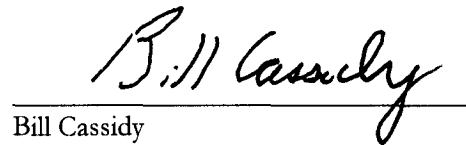
Jeff Duncan
Member of Congress

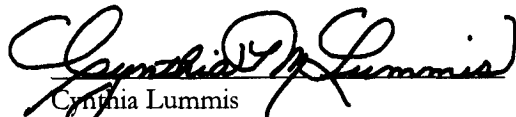


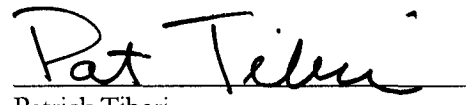
Jeb Hensarling
Member of Congress

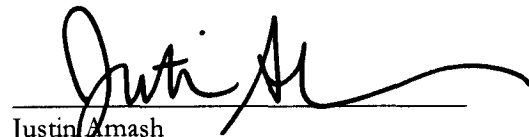
Congress of the United States
Washington, DC 20515



Jack Kingston
Member of Congress



Bill Cassidy
Member of Congress


Cynthia Lummis
Member of Congress



Patrick Tiberi
Member of Congress

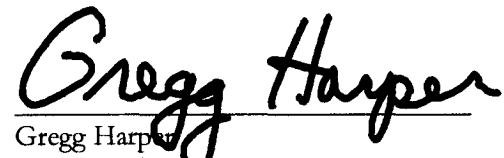

Justin Amash
Member of Congress



Blake Farenthold
Member of Congress

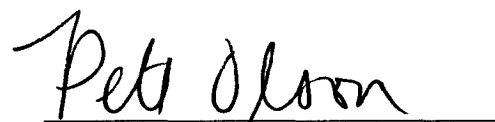

Tim Huelskamp
Member of Congress

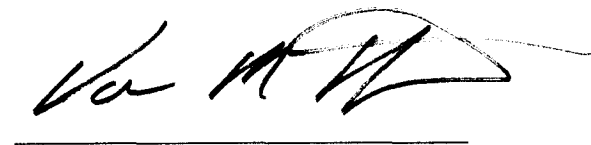

Marsha Blackburn
Member of Congress

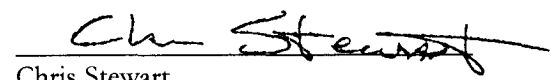

Todd Rokita
Member of Congress


Gregg Harper
Member of Congress



Brett Guthrie
Member of Congress


Pete Olson
Member of Congress

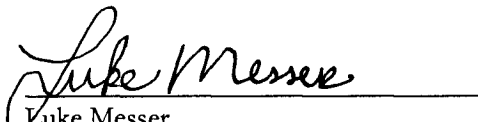

Vance McAllister
Member of Congress

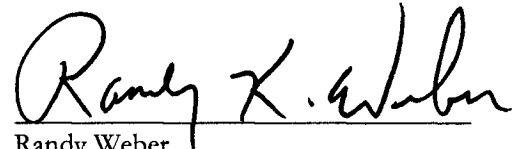

Chris Stewart
Member of Congress

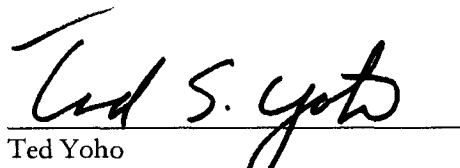
Congress of the United States
Washington, DC 20515



Paul Gosar
Member of Congress

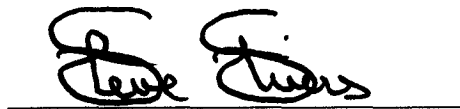

Doug LaMalfa
Member of Congress

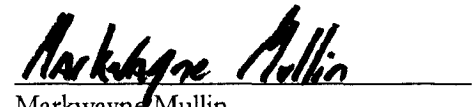

Luke Messer
Member of Congress

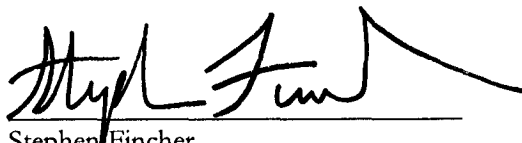

Randy Weber
Member of Congress

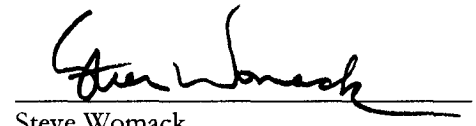

Ted Yoho
Member of Congress



Doug Collins
Member of Congress

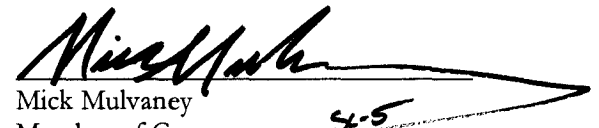

Steve Stivers
Member of Congress

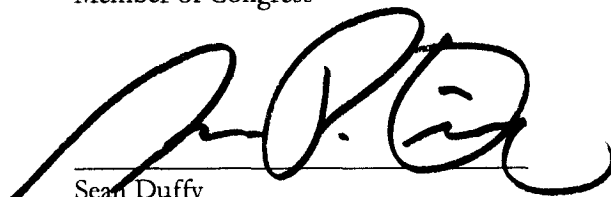

Markwayne Mullin
Member of Congress

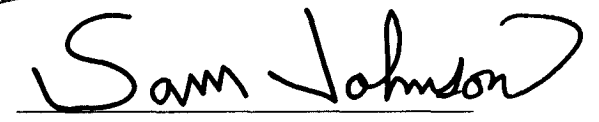

Stephen Fincher
Member of Congress


Steve Womack
Member of Congress


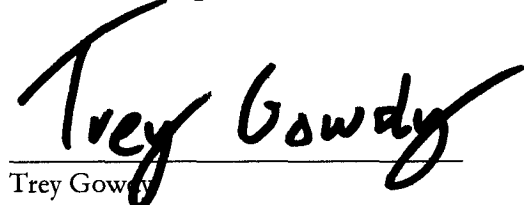
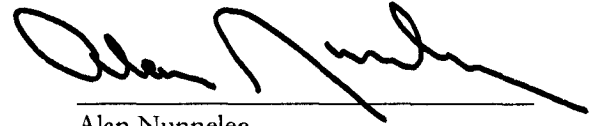

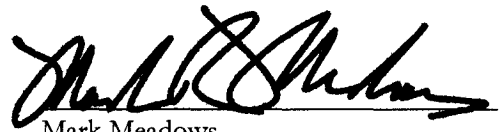
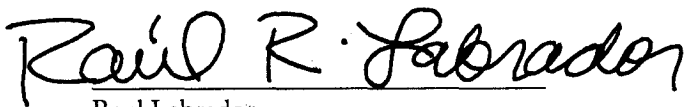
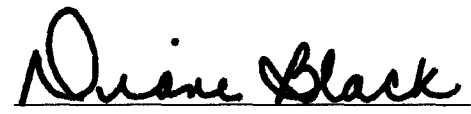


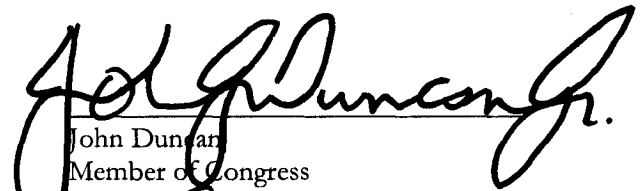

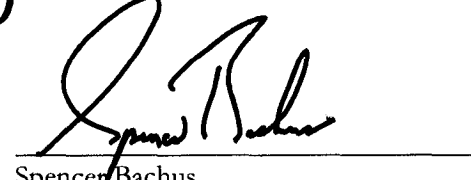

David Schweikert
Member of Congress


Mick Mulvaney
Member of Congress 4-5

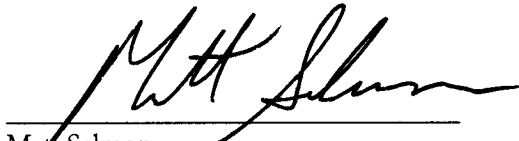

Sean Duffy
Member of Congress


Sam Johnson
Member of Congress


Congress of the United States
Washington, DC 20515


Steve Southerland
Member of Congress
Tim Griffin
Member of Congress
Trey Gowdy
Member of Congress
Alan Nunnelee
Member of Congress
Charles Boustany
Member of Congress
Mark Meadows
Member of Congress
Raul Labrador
Member of Congress
Diane Black
Member of Congress
Billy Long
Member of Congress
Bill Johnson
Member of Congress
Howard Coble
Member of Congress
John Duncan
Member of Congress
Joe Wilson
Member of Congress
Spencer Bachus
Member of Congress


Congress of the United States
Washington, DC 20515




Matt Salmon
Member of Congress




John Culberson
Member of Congress



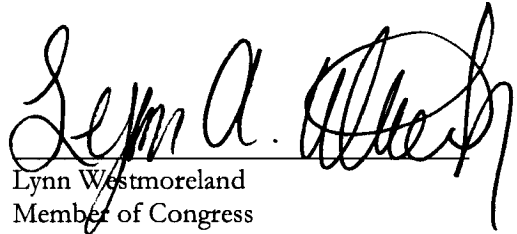
Steve Chabot
Member of Congress




Ralph Hall
Member of Congress



Michele Bachmann
Member of Congress




Lynn Westmoreland
Member of Congress




Thomas Massie
Member of Congress



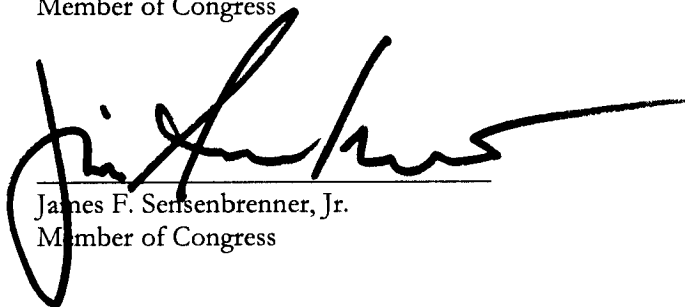
Trent Franks
Member of Congress



Paul C. Broun, M.D.
Member of Congress



Mike Coffman
Member of Congress



James F. Sensenbrenner, Jr.
Member of Congress



Bob Goodlatte
Member of Congress

Congress of the United States
Washington, DC 20515

October 16, 2015

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy:

We write to you to express our deep concerns about the effects the Administration's Phase 2 Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles (EPA-HQ-OAR-2014-0827) will have on the producers and consumers of glider kits, glider vehicles, and remanufactured engines.

With gliders, a damaged or worn truck can be put back on the road economically by placing the undamaged powertrain components in a new cab and chassis, extending the investment and working life of a driver's existing powertrain. Gliders are less expensive than new trucks, offer a more economical choice for small businesses and independent operators, and frequently having a higher resale price against comparable trucks. Additionally, gliders and remanufactured engines have an environmental benefit by reducing landfill waste and are often a more fuel-efficient option compared to keeping a used truck on the road because of their rebuilt engines.

As you know, the proposed Phase 2 rule aims to effectively prohibit the sale of truck glider kits. If the rule is finalized in its current form, many businesses and workers in our districts will face serious economic and labor hardship. Our constituents – dealers and employees, glider truck owners and operators, and remanufacturing businesses – will disproportionately be affected by EPA decisions to effectively ban the products they sell, service, and drive.

We believe that this rule is not the proper place to regulate the sale and manufacture of gliders. While the EPA's stated goal with Phase 2 is to reduce GHG emissions for new heavy- and medium-duty trucks, gliders are not new vehicles, and the agency has not studied the emissions impact of remanufactured engines and gliders compared to new engines. There are also serious concerns that the EPA lacks the required statutory authority to regulate the sale of vehicle parts, including gliders. Additionally, we believe that under this proposal, many operators and businesses would simply choose to continue using current vehicles, leaving older trucks on the road longer.

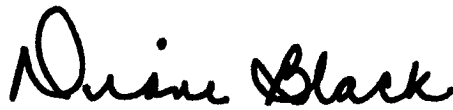
Congress has recognized the value of remanufactured parts and components. The United States Senate and House of Representatives have voted overwhelmingly in support of legislation, the Federal Vehicle Repair Cost Savings Act (S. 565) to encourage Federal agencies to consider

using remanufactured parts in the Federal vehicle fleet. To restrict the usage of remanufactured engines under this rulemaking appears to counter congressional intent.

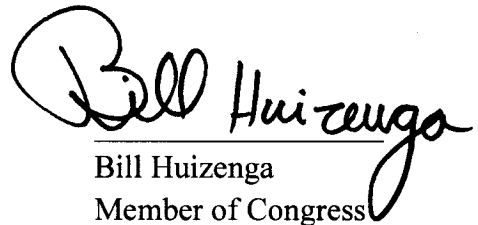
The U.S. truck industry has been a bright spot in the recovering national economy. While we understand that many in the industry are not opposed to the Phase 2 rule as a whole, it would wrongly apply these new standards to glider kits and remanufactured engines, reducing choice and increasing expenses for businesses and drivers.

As you move toward finalizing the rulemaking, we are asking that you please remove language that seeks to regulate glider kits and remanufactured engines. We appreciate your consideration and look forward to your reply.

Sincerely,



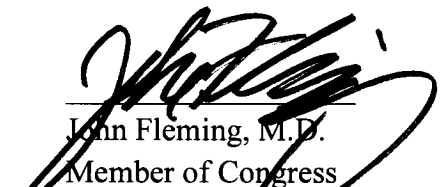
Diane Black
Member of Congress



Bill Huizenga
Member of Congress



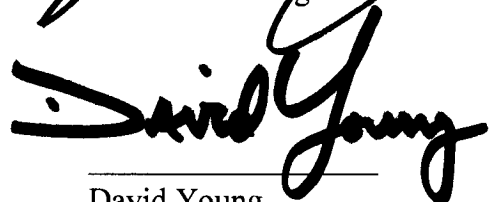
Bob Gibbs
Member of Congress



John Fleming, M.D.
Member of Congress



Jackie Walorski
Member of Congress



David Young
Member of Congress

DIANE BLACK
6TH DISTRICT OF TENNESSEE

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE ON HEALTH

COMMITTEE ON THE BUDGET



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

DISTRICT OFFICES

355 NORTH BELVEDERE DRIVE
SUITE 308
GALLATIN, TN 37066
(615) 206-8204
(615) 206-8980 (FAX)

321 EAST SPRING STREET
SUITE 301
COOKEVILLE, TN 38501
(931) 854-0069

May 19, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Dear Administrator McCarthy,

I am writing in regards to a wind energy project proposed by Apex Clean Energy in Crab Orchard, Tennessee. This project would encompass 1,800 acres on the edge of the Cumberland Plateau which is home to the beautiful Cumberland Mountain State Park.

It is my understanding that the Environmental Protection Agency (EPA) may need to conduct an environmental assessment to fully understand the effects of this project on species protected under the following federal laws: the *Endangered Species Act*, *Bald and Golden Eagle Protection Act*, *Migratory Bird Treaty Act*, and the *Fish and Wildlife Coordination Act*.

Considering that this project would be built within 10 miles of the Cumberland Mountain State Park, many of my constituents have contacted me with serious questions and concerns. This area has been frequented by local residents since 1938 to enjoy the natural beauty of the landscape and outdoor recreational activities such as camping, hiking, canoeing, and fishing. This treasure of a region not only belongs to the residents of Cumberland County, but to all Tennesseans who travel across the state to participate in events such as Pioneer Days, Fishing Derby and admire its beauty while gazing upon the Ozone Falls.

Given this, the Cumberland County community and Tennessee as a whole will bear some form of cost from this project. While these costs may not be economic, they will certainly be tangible. The Cumberland Mountains have an importance that reaches well beyond the borders of the county and its preservation should not be mortgaged on short-term interests. As such, I cannot recommend that the EPA allow Apex Clean Energy to proceed with this project.

Therefore, I strongly urge the EPA to host hearings for residents of Cumberland County in order to address these concerns before granting Apex Clean Energy approval to move forward with this project.

I respectfully request that you carefully consider these ramifications and all of the affects that this wind farm will have. This project will have far reaching consequences for the residents of Cumberland County and all Tennesseans who visit the Cumberland Mountains. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Diane Black".

Rep. Diane Black
Member of Congress

DIANE BLACK
6TH DISTRICT OF TENNESSEE

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE ON HEALTH

COMMITTEE ON THE BUDGET



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

DISTRICT OFFICES

355 NORTH BELVEDERE DRIVE
SUITE 308
GALLATIN, TN 37066
(615) 206-8204
(615) 206-8980 (FAX)

321 EAST SPRING STREET
SUITE 301
COOKEVILLE, TN 38501
(931) 854-0069

August 26, 2016

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy:

I am writing to express my concerns with the Administration's finalized Phase 2 GHG/FE Standards for medium- and heavy-duty vehicles which includes, glider kits, glider vehicles, and remanufactured engines. These policies will have ruinous consequences on the glider kit industry and the jobs the industry provides.

The final standards rest on a flawed assumption that small businesses and drivers will simply acquire new motor vehicles. Based on the feedback I have received from industry – many businesses may not adhere to the rule, but continue using their current vehicles, thus leaving older trucks on the road longer. Further, vehicle remanufacturing is an industry that heavily relies on like-kind business. As such, these adverse effects will be felt by dealers, employees, assemblers, drivers, and manufacturing plants.

Second, while the EPA opines that gliders are “not inexpensive,” the EPA fails to understand the end user of glider kits will not enjoy the competitive advantages of companies with larger fleets. The savings that glider kits offer, which is not reflected in the final rule, are directly tied to the livelihoods of working class families. Many users of glider kits state that these trucks cost 25-percent less than a comparable new truck, and these savings are compounded by better fuel economy.

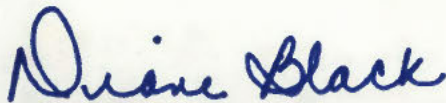
It is also important to note that glider kits extend the life of vehicles and divert resources from the junk yard. This new rule ignores these benefits, disregards investments undertaken by business, and dismisses future innovation. The trucking industry has made large strides in curbing emissions as well as safety in recent decades, and older engines will continue to disappear from the road naturally.

Moreover, the EPA has decided that the number of jobs at stake does not warrant a reasonable “lead time” for the industry to adjust operations. Motor vehicle remanufacturers employ thousands of Americans in areas where it can be difficult to seek out a new profession and represents meaningful commerce in smaller communities throughout the country. Given this, the EPA should provide a greater “lead time” that includes a phase down period in order to allow small businesses to adjust to these rules which will require massive investment.

Allowing businesses greater time to comply with an annual reduction would not compromise the integrity of Phase 2, and would prevent the devastation of an industry as well as potentially save thousands of jobs. Phase 2 may not be an outright ban of glider kits, however, this will significantly burden the industry and eliminate jobs.

Thank you for your consideration of this important matter, and I ask that you please respond within 30 days to address my concerns.

Sincerely,

A handwritten signature in blue ink that reads "Diane Black". The signature is written in a cursive, flowing style.

Rep. Diane Black
Member of Congress

DIANE BLACK
6TH DISTRICT OF TENNESSEE

COMMITTEE ON
WAYS AND MEANS

SUBCOMMITTEE ON HEALTH

COMMITTEE ON THE BUDGET



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

June 1, 2017

DISTRICT OFFICES

355 NORTH BELVEDERE DRIVE
SUITE 308
GALLATIN, TN 37068
(615) 206-8204
(615) 206-8980 (FAX)

321 EAST SPRING STREET
SUITE 301
COOKEVILLE, TN 38501
(931) 854-0069

EPA

Laura Vaught

Associate Administrator for Congressional and Intergovernmental Relations

Environmental Protection Agency

1200 Pennsylvania Avenue, NW, Room 3426 Arn

Washington, DC 20460-0001

Dear Friend,

Enclosed you will find a request for assistance from a constituent of mine, Debbie A. Sartain. I believe you will find the letter to be self-explanatory.

Please review this matter and provide me with a response which I may share with my constituent.

June 1, 2017

Thank you for your time and attention in this matter.

Sincerely,

Diane Black

Member of Congress

DB/kb

U.S. Congressman • Tennessee's 6th District**Diane Black****PRIVACY RELEASE**

In accordance with the Privacy Act of 1974 (5 U.S.C. § 552), I hereby authorize Congressman Diane Black, or a designated member of her staff, to inquire with the appropriate federal agencies stated below to provide assistance or to resolve the matter described below.

Signature: Deborah A. SartainDate: 6-1-17

To begin processing your case, please PRINT LEGIBLY and complete all of the following information:

Name: Deborah A. SartainHome Address: (b) (6)City: SpringfieldState: TNZIP: 37172County: RobertsonDate of Birth: (b) (6)Home Phone: (b) (6)Mobile Phone: (b) (6)E-mail Address: (b) (6)Social Security #: (b) (6)Have contacted Senator Alexander ☐ or Senator Corker ☐ about your problem?Federal agency with which you need help: EPA

(If yours is an IRS problem please include each specific tax year on the signed Privacy Release form for which you are asking assistance. Examples: 2012 refund, 2010 audit reconsideration, 2011 stolen identity, or 2008, 2009, 2012 balances due.)

Briefly explain the problem or the information desired* (Continue on additional page if necessary):

(b) (6)*Please include COPIES of any relevant documentation related to your request.

Also include the following information if relevant:

IMMIGRATION:Alien #: (b) (6)Form #: (b) (6)Date Filed: (b) (6)USCIS Receipt #: (b) (6)Embassy Case #: (b) (6)**MILITARY/VETERANS:**Branch of Service: (b) (6)Rank: (b) (6)VA File #: (b) (6)Dates of Service: (b) (6)

Name: Dekora Sartain

There is pollution from Baggetts constantly but sometimes worse than others, i.e. spring & Fall. The debris from this grainery is on our cars, in the pool -

(b) (6)

I emailed the EPA last year and they never responded. I don't have a copy. I also called the grainery & told them of my problems. They said "we are operating within the law." Nothing changed.

(b) (6)

Please help!

(b) (6)

Return the completed form to:

☒ Gallatin

355 North Belvedere Drive, Suite 308

Gallatin, TN 37066

Phone: (615) 206-8204

Fax: (615) 206-8980

☐ Cookeville

321 East Spring Street, Suite 301

Cookeville, TN 38501

Phone: (931) 854-0069

Fax: (615) 206-8980



From the Office of

CONGRESSMAN DIANE BLACK

Tennessee's 6th District

Facsimile Cover Sheet

From: Kenna Balch, Case Worker

355 North Belvedere Drive, Suite 308 • Gallatin, TN 37066

615.206.8204 phone • 615.206-8980 fax

Kenna.Balch@mail.house.gov

Date: June 1, 2017

To: Congressional Liaison, EPA

Fax: (202) 501 - 1519

Pages: 4

Subject: Congressional Inquiry for Debbie Sartain

MAC THORNBERRY
13TH DISTRICT
TEXAS



ARMED SERVICES COMMITTEE
CHAIRMAN

Congress of the United States

House of Representatives

January 9, 2017

The Honorable Gina McCarthy
Environmental Protection Agency
Administrator
1200 Pennsylvania Ave NW
Washington, DC 20460-0001

Dear Administrator McCarthy,

I am writing to request a 120-day extension for the operator survey deadline in compliance with the "Information Collection Effort for Oil and Gas Facilities."

As you know, many oil and gas producers have recently received an Information Collection Request (ICR) from the U.S. Environmental Protection Agency (EPA) to develop regulations to reduce methane emissions from existing sources in the oil and natural gas industry. While facilities were given 180 days to comply with the IRC, operators were only given 60 days.

I have several small producers in my district with limited resources that are struggling to stay in business with the currently depressed oil and gas market. According to EPA estimates, it will cost the oil and gas industry \$18 million to comply with the operator survey portion of the IRC. Compliance could cost some small producers several thousand dollars, and many could find it impossible to meet the short, two-month deadline. The potential penalty of more than \$90,000 per day for non-compliance would be enough to put several producers completely out of business.

In light of the current oil and gas market and the burden faced by small operators to comply with the IRC, I respectfully request that you grant a 120-day extension for the operator survey deadline within your rules and regulations.

Sincerely,

Mac Thornberry
Member of Congress

WMT/MS

Cc: Ms. Brenda Shine, U.S. Environmental Protection Agency

MAC THORNBERRY
13TH DISTRICT
TEXAS



ARMED SERVICES COMMITTEE
CHAIRMAN

Congress of the United States

House of Representatives

January 9, 2017

The Honorable Gina McCarthy
Environmental Protection Agency
Administrator
1200 Pennsylvania Ave NW
Washington, DC 20460-0001

Dear Administrator McCarthy,

I am writing to request a 120-day extension for the operator survey deadline in compliance with the "Information Collection Effort for Oil and Gas Facilities."

As you know, many oil and gas producers have recently received an Information Collection Request (ICR) from the U.S. Environmental Protection Agency (EPA) to develop regulations to reduce methane emissions from existing sources in the oil and natural gas industry. While facilities were given 180 days to comply with the IRC, operators were only given 60 days.

I have several small producers in my district with limited resources that are struggling to stay in business with the currently depressed oil and gas market. According to EPA estimates, it will cost the oil and gas industry \$18 million to comply with the operator survey portion of the IRC. Compliance could cost some small producers several thousand dollars, and many could find it impossible to meet the short, two-month deadline. The potential penalty of more than \$90,000 per day for non-compliance would be enough to put several producers completely out of business.

In light of the current oil and gas market and the burden faced by small operators to comply with the IRC, I respectfully request that you grant a 120-day extension for the operator survey deadline within your rules and regulations.

Sincerely,

Mac Thornberry
Member of Congress

WMT/MS

Cc: Ms. Brenda Shine, U.S. Environmental Protection Agency

MAC THORNBERRY
11TH DISTRICT
TEXAS



ARMED SERVICES COMMITTEE
CHAIRMAN

Congress of the United States

House of Representatives

March 1, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Dear Administrator Pruitt,

As you begin the process of reviewing the rules and regulations of the previous Administration, I respectfully ask that you rescind the pending "Information Collection Effort for Oil and Gas Facilities" that was issued on November 10, 2016.

As you know, the Environmental Protection Agency (EPA) has issued a final Information Collection Request (ICR) to require oil and natural gas producers and facilities to provide information to develop regulations for methane emissions from existing sources.

The EPA is allowing a 60-day extension to comply with the final ICR to individual producers that ask directly. However, the cost and time commitment for compliance remains a heavy burden on producers and facilities. This is especially true for the many independent producers in my district that are struggling with a depressed oil and gas market.

According to the EPA's own estimates, this ICR will cost the oil and gas industry \$42 million to comply. I appreciate the EPA's previous response that fines for noncompliance are not being assessed at this time. However, should formal action be brought against a producer or facility, heavy fines could still be imposed by a judge or administrative judicial office.

As you are well aware, the current oil and gas market has been a hardship on struggling producers, and its decline has been a drag on many local economies across the country. Keeping the regulatory burden of the ICR in place will only serve to exacerbate this hardship.

Within your rules and regulations, I respectfully ask that you fully rescind the oil and gas ICR. Thank you for your prompt attention to this matter.

Sincerely,

Mac Thornberry
Member of Congress

WMT/MS

Congress of the United States
Washington, DC 20515

March 9, 2017

Mr. Christopher Grundler
Director, Office of Transportation and Air Quality
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW | MC 6401A
Washington, DC 20460

RE: Grain Sorghum Oil Biodiesel Pathway Petition

Dear Mr. Grundler:

On behalf of the sorghum farmers from each of our respective states, we write to request that the EPA move to expeditiously approve a pathway for the production of biofuels from grain sorghum oil under the Renewable Fuels Standard (RFS).

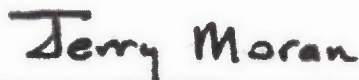
Sorghum is primarily grown in arid regions where limited water supplies can present challenges to other grains, making it an important crop for many of the farmers we represent. In 2016, about 6.8 million acres of sorghum were planted across the country. Sorghum production is projected to be almost 500 million bushels this year, with nearly 25 percent of the bushels being used for the production of biofuels.

As you know, on July 29, 2016, a renewable fuel pathway petition was submitted to your office by the National Sorghum Producers (NSP) for the production of biofuels from grain sorghum oil. Subsequent to the July submission, a request was made for supplemental data, which was provided on January 18, 2017. Under law, a petition can be handled expeditiously with an approval letter when the feedstock meets the criteria and is equivalent to an approved feedstock, such as corn oil in this instance.

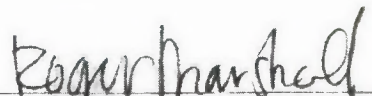
Several grain sorghum ethanol production facilities have already installed the technology necessary to separate sorghum oil from distiller's grains. However, because sorghum oil is not yet approved to produce biofuels, it is at a two-cent per pound disadvantage compared to corn oil. For these facilities to provide a competitive price to sorghum farmers, it is important that a pathway for producing biofuels from this oil be approved.

We appreciate your attention to this important matter and ask that you provide our offices with timely updates as to the agency's progress in considering the petition.

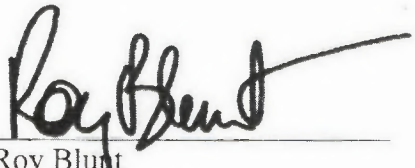
Sincerely,



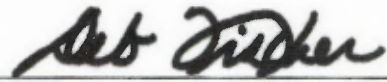
Jerry Moran
United States Senator



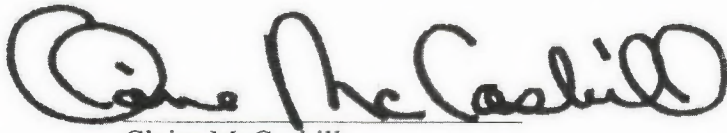
Roger Marshall, M.D.
Member of Congress



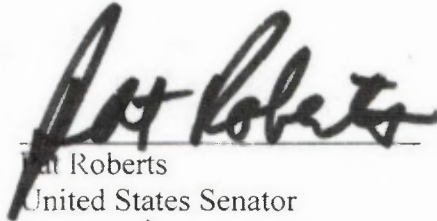
Roy Blunt
United States Senator



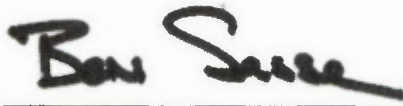
Deb Fischer
United States Senator



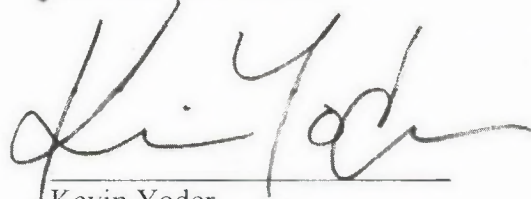
Claire McCaskill
United States Senator



Pat Roberts
United States Senator



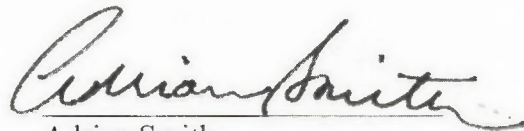
Benjamin Sasse
United States Senator



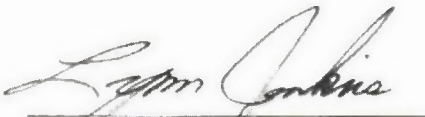
Kevin Yoder
Member of Congress



Mac Thornberry
Member of Congress



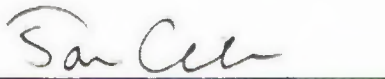
Adrian Smith
Member of Congress



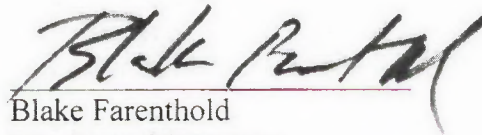
Lynn Jenkins, CPA
Member of Congress



Frank Lucas
Member of Congress



Tom Cole
Member of Congress



Blake Farenthold
Member of Congress

Congress of the United States
Washington, DC 20515

February 17, 2017

The Honorable Donald J. Trump
President of the United States
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear Mr. President,

We write to express our continued and serious concerns regarding the Obama Administration's Clean Power Plan (CPP), Waters of the U.S. (WOTUS), and Ozone Standard of 70 parts per billion (ppb) Rules.

On August 3, 2015 the Environmental Protection Agency (EPA) finalized its Clean Power Plan rule. The original intent of the Clean Air Act was for individual states to regulate their own electricity systems. This new regulation is tantamount to a federal government power grab that would impose onerous carbon emissions standards at and outside the fence line of existing power plants. The CPP would require approximately a 30% reduction in carbon dioxide emissions by the year 2030; a goal that will have a negligible impact on global temperatures. These costs will ultimately be borne by consumers, many of whom could see double-digit percentage increases in their monthly electric bill.

Additionally, on August 28, 2015 the EPA published its final rule revising the definition of navigable waters and asserting jurisdiction over nearly all areas with water features, including man-made drainage ditches and small streams. The intent of WOTUS was to clarify what waters are controlled by federal regulations; however the EPA has only made it harder for businesses to comply with the law which will negatively impact job growth in farming, building trades, and beyond.

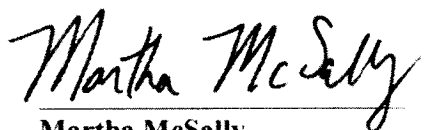
Furthermore, on October 1, 2015 the EPA established a new National Ambient Air Quality Standard for ground-level ozone that was set at 70ppb. This regulation does not adequately account for background ozone, which is naturally occurring ozone or ozone originating outside of the control of a specific state. These new standards represent a threshold that is simply too high for many jurisdictions across the country and will damage the economy by requiring even further reductions in emissions.

During the promulgation and finalization of these rules, many of our constituents have expressed their concerns to us how their livelihood in our states will be negatively impacted.

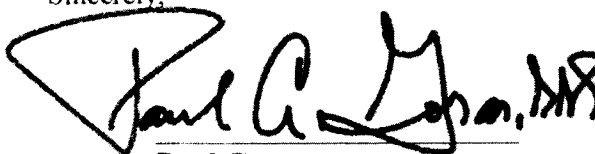
Unfortunately, the 60 day period for the Congressional Review Act (CRA) has expired and Congress will not be able to make use of the CRA to stop or revise these rules. As such, we urge you to use any and all tools to limit the harm of these costly and burdensome rules.

We appreciate your consideration of this important matter and look forward to your response.


Sincerely,



Martha McSally
Member of Congress



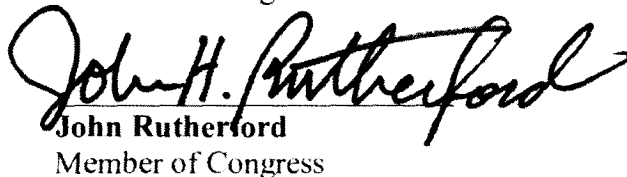
Paul Gosar
Member of Congress


Ann Wagner

Member of Congress


Bruce Westerman

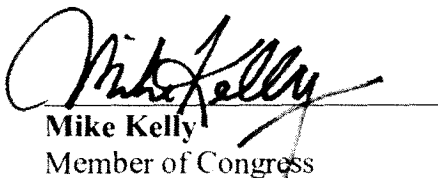
Member of Congress


John Rutherford

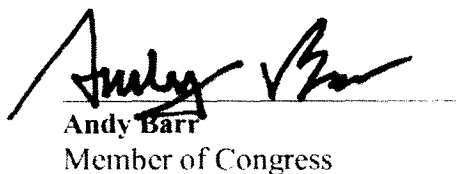
Member of Congress


Lou Barletta

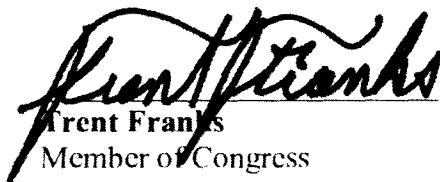
Member of Congress


Mike Kelly

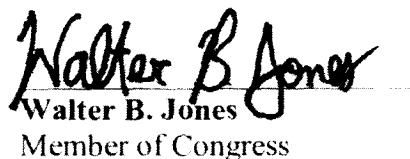
Member of Congress


Andy Barr

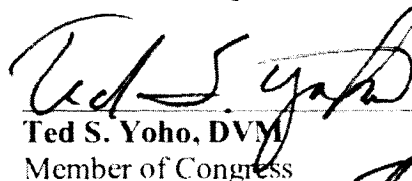
Member of Congress


Trent Franks

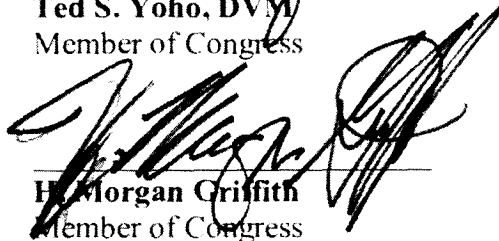
Member of Congress


Walter B. Jones

Member of Congress


Ted S. Yoho, DVM

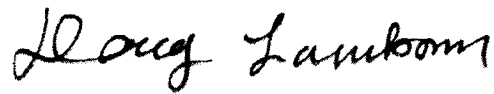
Member of Congress


H. Morgan Griffith

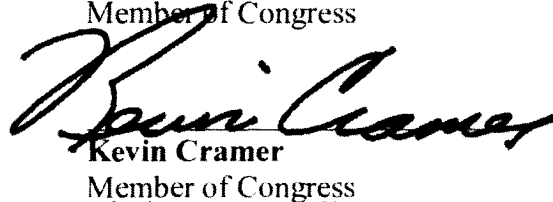
Member of Congress


Bob Gibbs

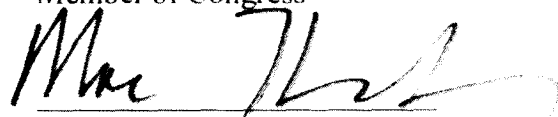
Member of Congress


Doug Lamborn

Member of Congress


Kevin Cramer

Member of Congress


Mac Thornberry

Member of Congress


Mimi Walters

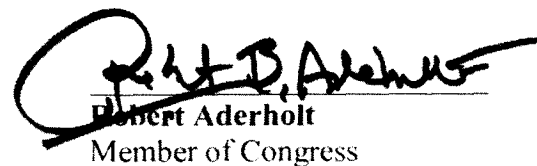
Member of Congress


Steve Chabot

Member of Congress


Vicky Hartzler

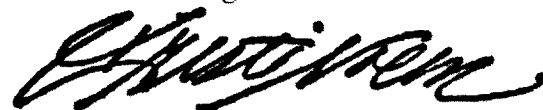
Member of Congress


Robert Aderholt

Member of Congress


David G. Valadao

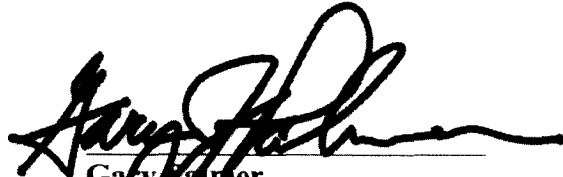
Member of Congress


Kristi Noem

Member of Congress



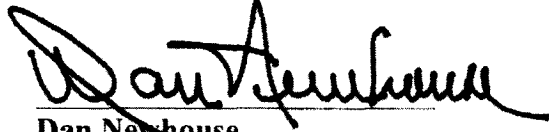
Chuck Fleischmann
Member of Congress



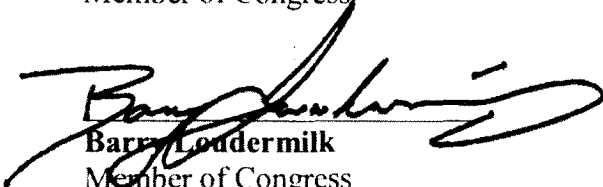
Gary Palmer
Member of Congress



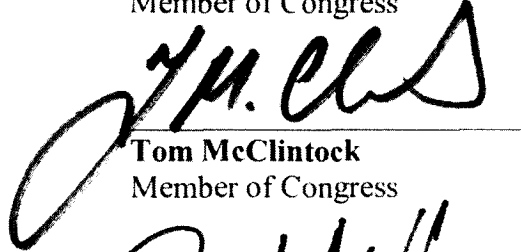
Scott Tipton
Member of Congress



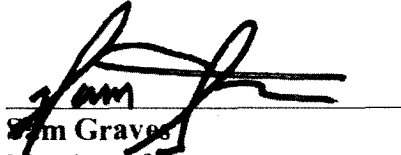
Dan Newhouse
Member of Congress



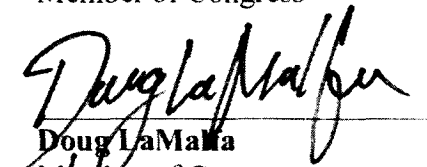
Barry Loudermilk
Member of Congress



Tom McClintock
Member of Congress



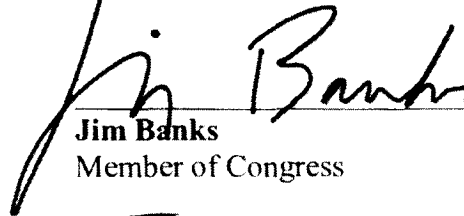
Sam Graves
Member of Congress



Doug LaMalfa
Member of Congress



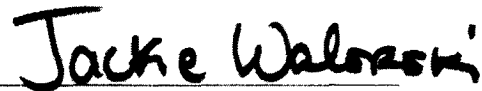
Mike Bost
Member of Congress



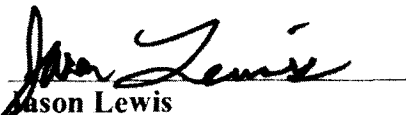
Jim Banks
Member of Congress



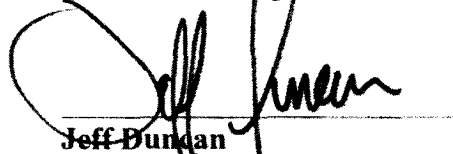
Glenn Grothman
Member of Congress



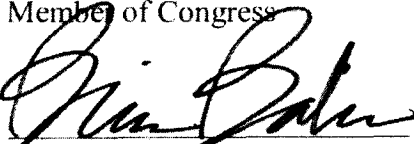
Jackie Walorski
Member of Congress



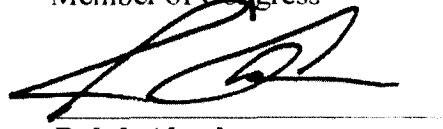
Jason Lewis
Member of Congress



Jeff Duncan
Member of Congress



Brian Babin
Member of Congress



Ralph Abraham
Member of Congress

Dear Sir

I have the honor

to acknowledge the receipt

of your letter of the 10th

inst. in relation to

the same.

I am sorry to hear

that you are

unable to

attend the

meeting.

I am sure

that you

will be

able to

attend the

meeting.

I am

Very

MAC THORNBERRY
13TH DISTRICT
TEXAS



ARMED SERVICES COMMITTEE
CHAIRMAN

Congress of the United States

House of Representatives

May 23, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Dear Administrator Pruitt,

As you continue to evaluate modifications to current regulations, I respectfully ask that you consider the attached request from the Honorable Jason Brinkley, the Cooke County Judge.

In 2016, the EPA reduced the threshold for Non-Methane Organic Compounds (NMOCs) above which landfill owners/operators must install a gas collection and control system. This will place a high burden on small landfills, like the Texoma Area Solid Waste Authority, with limited budgets that may not have the resources available to install a new system.

Within your rules and regulations, I ask that you give this request your full consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mac 7/12", written over a horizontal line.

Mac Thornberry
Member of Congress

WMT/MS
Enclosure



MAY 26 2017

101 South Dixon Street
Gainesville, Texas 76240

Phone: (940)668-5435
Fax: (940)668-5440

April 27, 2017

Congressman Mac Thornberry
2208 Rayburn House Office Building
Washington, DC 20515-4313

Re: EPA rules regarding Non-Methane Organic Compounds

Congressman Thornberry,

In 2016, the EPA implemented a new rule for landfills, reducing the threshold for Non-Methane Organic Compounds (NMOCs) from a 50 Mg threshold to 34 Mg threshold. Once this threshold is reached by a landfill, it would be required to install a landfill gas collection system (LGCS).

Since 2000, Cooke County and the City of Gainesville have partnered with the Cities of Sherman and Denison and with Grayson County to run the Texoma Area Solid Waste Authority (TASWA). TASWA provides solid waste and recycling services to its five members, as well as several other communities in our region. TASWA is a comparably small landfill with a yearly operating budget of approximately \$4 million. If the current standards remain in place, TASWA will be forced to spend over \$2 million to install a LGCS by 2020, with an additional yearly operating cost for the system exceeding \$100,000. Given TASWA's operating budget, such a significant cost would require TASWA to seek other sources of funding or financing to pay for the improvements. Prior to the changes in 2016, TASWA had anticipated needing a LGCS sometime after 2025 and had been planning accordingly for the past several years to have adequate savings by that time to pay for such a system.

Therefore, I ask for your help in asking the Trump Administration to consider rolling back the 2016 EPA decision, allowing TASWA to save taxpayer dollars and ending an unnecessary and overly burdensome regulation.

If you have any questions, or would like to discuss this issue further, please let me know.

Thank you,

Jason Brinkley
County Judge

Congress of the United States
Washington, DC 20515

July 31, 2017

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Ave., NW
Mail Code: 1101A
Washington, D.C. 20460

Dear Administrator Pruitt,

We write to express our concern related to the U.S. Environmental Protection Agency's (EPA) proposed rule, "Financial Responsibility Requirements Under CERCLA 108(b) for Classes of Facilities in the Hardrock Mining Industry," which was published in the Federal Register on January 11, 2017 (82 Fed. Reg. 3388).

This proposed regulation is duplicative, unnecessary and punitive to an industry that generates more than 1.2 million jobs and provides approximately \$3 trillion in added value to America's gross domestic product (GDP).

We greatly appreciate the comment period extension EPA granted earlier this year, which was necessary to allow stakeholders an opportunity for thoughtful review and comment on this complex and important issue.

Today, we reiterate several troubling issues already raised throughout the rulemaking process. The fact remains that EPA's rule seeks to impose excessive and duplicative financial assurance obligations on the hardrock mining and mineral processing (HRM) industry, which will lead to needlessly damaging economic consequences for the industry without yielding even nominal environmental benefits.

Moreover, EPA's imprudent proposal sets a bad precedent for other industry sectors identified by the agency as targets for future CERCLA financial responsibility rules, including chemical manufacturing, oil and gas, and electric utilities.

As it stands, the EPA's proposed rule will produce a duplicative layer of financial responsibility regulations on top of the financial obligations already mandated by existing state and federal regulations. We do not believe that EPA's assessment of the HRM industry appropriately accounted for the comprehensive federal and state programs and associated financial assurance safeguards already in place. These programs ensure that all phases of mining, reclamation, closure and post-closure are designed and operated to provide protection against the very same risks EPA seeks to address in the rule. If EPA finalizes this rule as proposed, the agency will usurp states' regulatory purview and needlessly duplicate stringent state and federal requirements.

EPA's Regulatory Impact Analysis estimates that this rule will impose \$7.1 billion in new financial responsibility obligations on the HRM industry. *See* 82 Fed. Reg. at 3392. According to EPA's data, the proposed rule will require HRM facilities to incur \$171 million per year in new financial responsibility costs, while only saving the government \$15.5 million per year. *Id.* at 3440.

Analyses conducted by affected industries include more comprehensive considerations and assumptions based on knowledge of industry operations. Such analyses estimate the cost of this new federal program to be significantly higher than EPA's already-crippling projections.

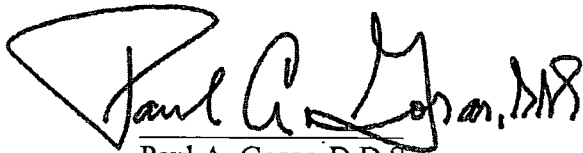
The high costs of compliance with the rule will further discourage domestic mineral production and stymie future investment and development opportunities. In turn, this regulation will increase our nation's import reliance on metals and minerals from foreign countries—putting the United States domestic manufacturing, energy, and national security sectors at a major competitive disadvantage. This rule will also have substantial adverse impacts on local economies that depend on high-paying, living-wage HRM industry jobs to support families and generate sufficient tax revenue for local and state governments.

We understand that EPA is currently under a court order to issue a notice of final action by Dec. 1, 2017. As such, we strongly urge you to review and carefully consider industry and Congressional input. In fact, the House Appropriations Committee passed the Interior and Environment Appropriations bill earlier this month with language prohibiting the agency from finalizing the rule in its current form.

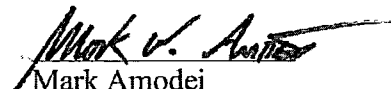
It is our hope that you will conclude, as we have, that this rulemaking is duplicative and unnecessary on account of existent, robust financial responsibility requirements already in place at the state and federal level. The current rulemaking is unnecessary. The agency should choose the "no action" alternative and allow the current requirements already in place to continue.

Thank you for your consideration, and please do not hesitate to contact our offices if we can be of further assistance in these matters.

Sincerely,



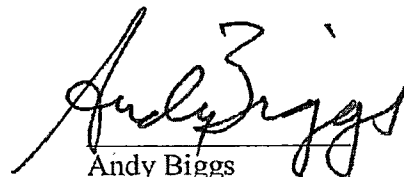
Paul A. Gosar, D.D.S.
Member of Congress



Mark Amodei
Member of Congress



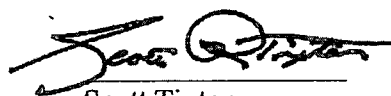
Trent Franks
Member of Congress




Andy Biggs
Member of Congress



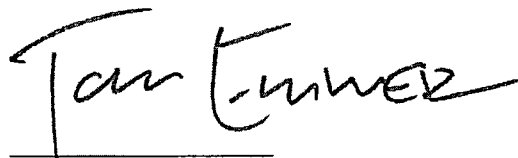
Mia Love
Member of Congress



Scott Tipton
Member of Congress



Roger Marshall, M.D.
Member of Congress



Tom Emmer
Member of Congress



Brian Babin
Member of Congress



Doug LaMalfa
Member of Congress



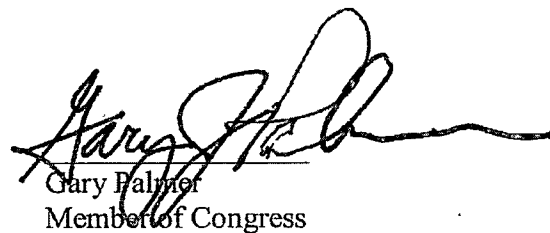
Chris Stewart
Member of Congress



Jody Hice
Member of Congress



Mike Johnson
Member of Congress



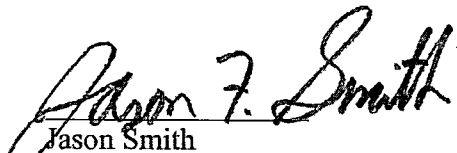
Gary Palmer
Member of Congress




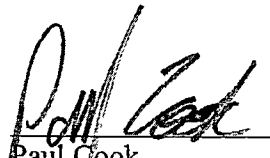
Liz Cheney
Member of Congress




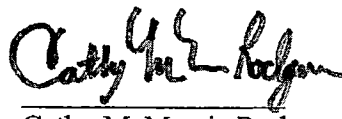
Ted S. Yoho, D.V.M.
Member of Congress



Jason Smith
Member of Congress


Ken Buck
Member of Congress

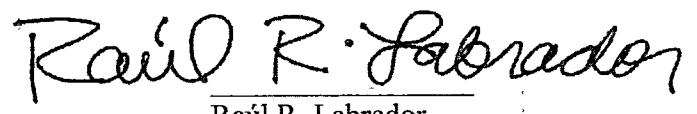

Paul Cook
Member of Congress

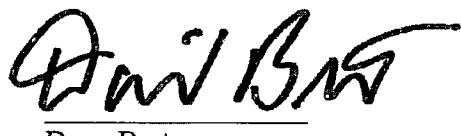

Alex Mooney
Member of Congress



Cathy McMorris Rodgers
Member of Congress

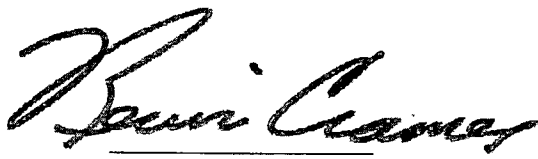

Rob Bishop
Member of Congress



Greg Gianforte
Member of Congress


Raúl R. Labrador
Member of Congress


Dave Brat
Member of Congress


Bill Johnson
Member of Congress


Kevin Cramer
Member of Congress

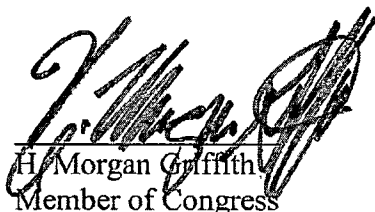

David G. Valadao
Member of Congress



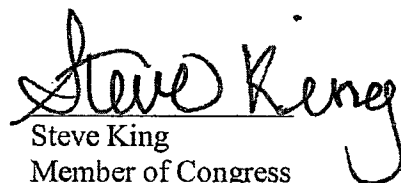
David Schweikert
Member of Congress



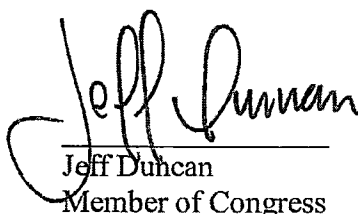
Mike Simpson
Member of Congress



H. Morgan Griffith
Member of Congress



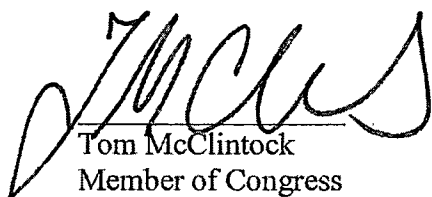
Steve King
Member of Congress



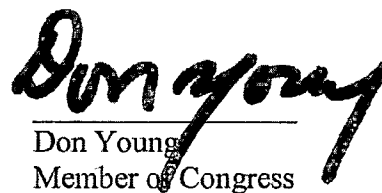
Jeff Duncan
Member of Congress



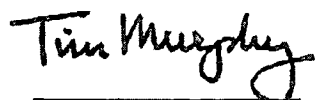
David McKinley
Member of Congress



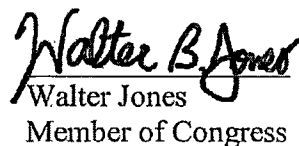
Tom McClintock
Member of Congress



Don Young
Member of Congress



Tim Murphy
Member of Congress



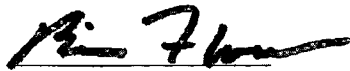
Walter Jones
Member of Congress



Doug Lamborn
Member of Congress



Steve Pearce
Member of Congress



Bill Flores
Member of Congress



Bob Gibbs
Member of Congress

Congress of the United States
Washington, DC 20515

November 1, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Administrator Pruitt:

For over a decade, the American people have been forced to live with the Renewable Fuel Standard (RFS), a well-intentioned but deeply flawed policy that has negatively impacted families and businesses across the United States.

When the RFS was first passed in 2005, it was designed to reduce our country's dependence on foreign oil, to protect the environment, and to revitalize rural America. However, as we look in the rear-view mirror, it's clear that the RFS accomplished none of these goals.

By diverting more than 35 percent of the annual corn harvest to fuel additive, the RFS has raised the cost of livestock production, increased food price volatility and insecurity, decreased fuel efficiency, damaged small-engine equipment, hurt the environment, and chipped away at household budgets. The combined effects of this ethanol mandate have created a hidden tax on every American consumer. Simply put, in its current state, the RFS has run out of gas.


American families and our economy have shouldered the costs of the failed ethanol mandate for far too long. As Members of Congress representing communities in every region of the United States, we urge the EPA to continue to acknowledge that the RFS has significant pitfalls and costs in future rulemaking.

We look forward to working with you to put forth well-founded biofuels policies that reflect market realities and benefit American families and businesses.


Sincerely,



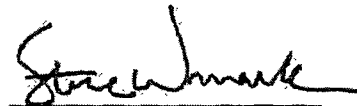
Bob Goodlatte
Member of Congress



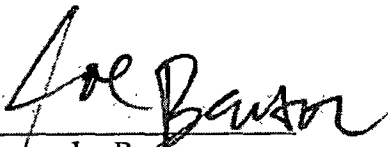
Peter Welch
Member of Congress





Jim Costa
Member of Congress

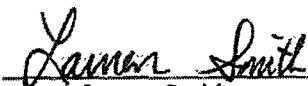


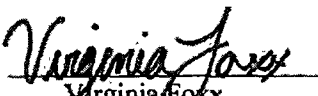
Steve Womack
Member of Congress

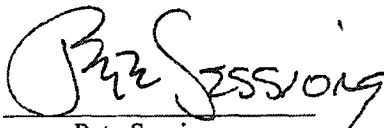

Joe Barton
Member of Congress

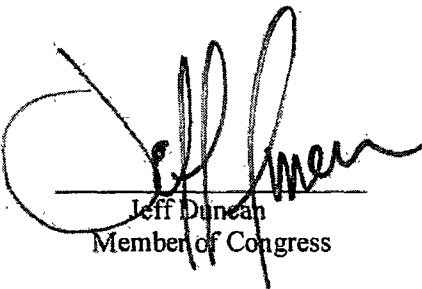

Pete Olson
Member of Congress

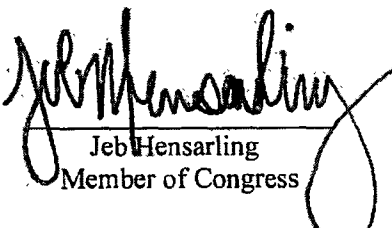

H. Morgan Griffin
Member of Congress



Lamar Smith
Member of Congress



Virginia Foxx
Member of Congress


Pete Sessions
Member of Congress

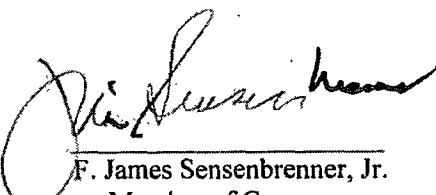

Jeff Duncan
Member of Congress

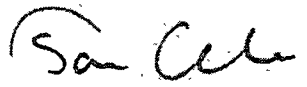

Jeb Hensarling
Member of Congress


Peter DeFazio
Member of Congress


Michael T. McCaul
Member of Congress


Rob Bishop
Member of Congress

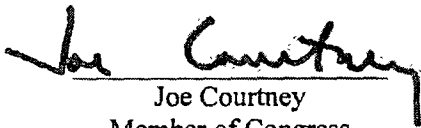

F. James Sensenbrenner, Jr.
Member of Congress



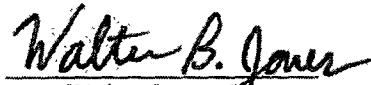
Tom Cole
Member of Congress



David P. Roe, M.D.
Member of Congress



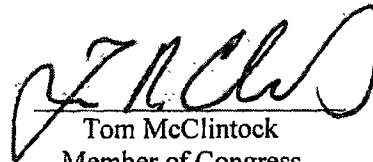
Joe Courtney
Member of Congress



Walter Jones, Jr.
Member of Congress



Blake Farenthold
Member of Congress



Tom McClintock
Member of Congress



Patrick Meehan
Member of Congress



Dana Rohrabacher
Member of Congress



Thomas Massie
Member of Congress



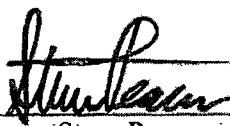
Louie Gohmert
Member of Congress

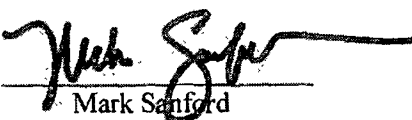


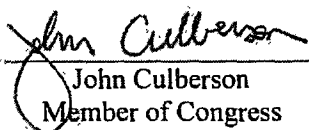
Chuck Fleischmann
Member of Congress

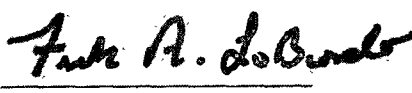


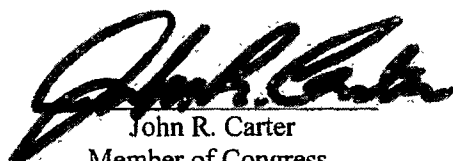
Trent Franks
Member of Congress



Steve Pearce
Member of Congress



Mark Sanford
Member of Congress



John Culberson
Member of Congress

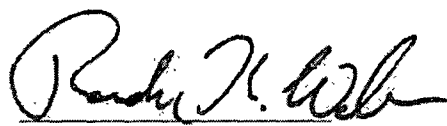

Frank A. LoBiondo
Member of Congress


John R. Carter
Member of Congress

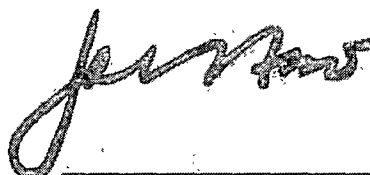

Paul A. Gosar, D.D.S.
Member of Congress



Austin Scott
Member of Congress


David G. Valadao
Member of Congress


Randy K. Weber
Member of Congress


Dave Brat
Member of Congress


John J. Faso
Member of Congress

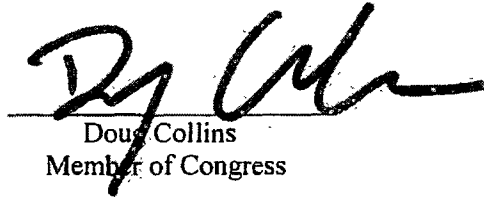

Andy Harris, M.D.
Member of Congress



Donald Norcross
Member of Congress



Ron DeSantis
Member of Congress



Doug Collins
Member of Congress



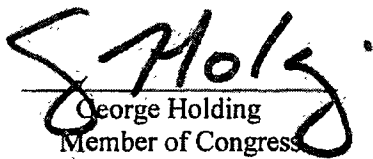
Roger Williams
Member of Congress



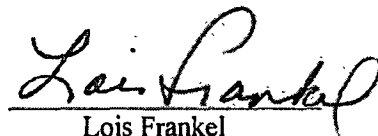
Keith J. Rothfus
Member of Congress



Earl Blumenauer
Member of Congress



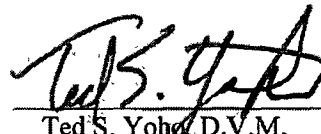
George Holding
Member of Congress



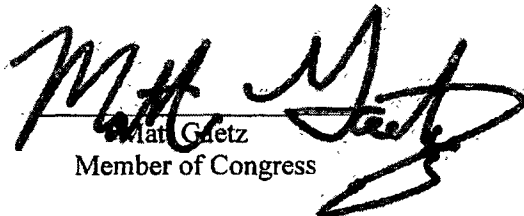
Lois Frankel
Member of Congress



Mark Meadows
Member of Congress



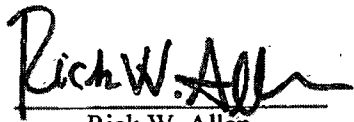
Ted S. Yoho, D.V.M.
Member of Congress



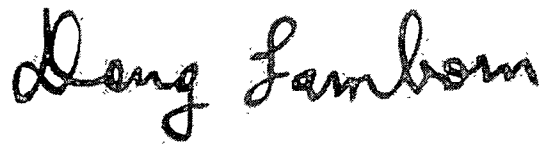
Matt Gaetz
Member of Congress



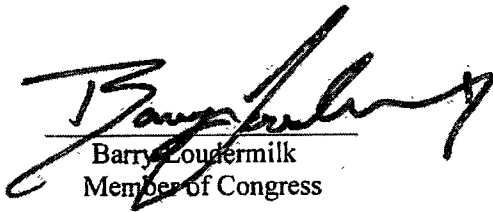
Dennis Ross
Member of Congress



Rick W. Allen
Member of Congress



Doug Lamborn
Member of Congress



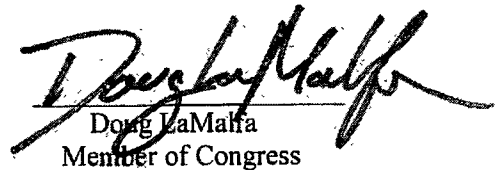
Barry Loudermilk
Member of Congress



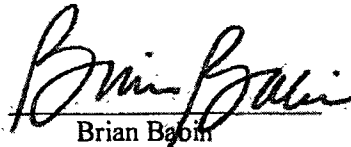
Jody Hice
Member of Congress



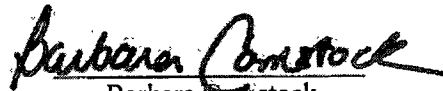
Chris Stewart
Member of Congress




Doug LaMalfa
Member of Congress



Brian Babin
Member of Congress



Barbara Constock
Member of Congress



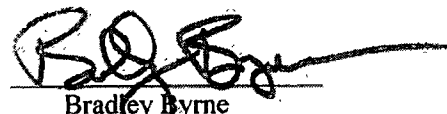
Robert Pittenger
Member of Congress



Rick Crawford
Member of Congress



Francis Rooney
Member of Congress



Bradley Byrne
Member of Congress

MAC THORNBERRY
13TH DISTRICT
TEXAS



ARMED SERVICES COMMITTEE
CHAIRMAN

Congress of the United States

House of Representatives

November 29, 2018

Mr. Andrew Wheeler
Acting Administrator
Environmental Protection Agency
Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460-0001

Dear Administrator Wheeler,

I am writing in response to the proposed rule entitled "Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources Reconsideration," Docket ID No. EPA-HQ-OAR-2017-0483, to respectfully request an exemption from fugitive emissions requirements at low production well sites.

Overall, this rule contains many measures to attempt to balance the cost of compliance burdens on responsible oil and gas production. However, as this rule acknowledges with a specific request for comments on an exemption for low production well sites, concerns on the cost of compliance for marginal wells remain.

The rule recognizes the potential overestimation of emissions and emission reductions by the Environmental Protection Agency for low production well sites as well as the need for well sites to produce at or above the relevant gas sales line pressure. However, operating costs and return on production are also considerations as to whether a well is shut-in and taken out of production.

Many small and family businesses within my district have a valid concern that unnecessary monitoring costs could force them to prematurely terminate a well's production and forgo lost revenue at a time when energy prices remain depressed. Additionally, rural counties where marginal wells figure prominently into the overall tax base would lose a valuable source of revenue that funds local governments, schools, and hospitals should additional costs force wells to be plugged and abandoned.

I appreciate your work to ensure a proper balance between the protection of our environment and the responsible production of our natural resources. Within your rules and regulations, I respectfully ask that you grant an exemption from fugitive emissions requirements at low production well sites.

Sincerely,

Mac Thornberry
Member of Congress

WMT/MS

620 SOUTH TAYLOR STREET, SUITE 200
AMARILLO, TX 79101-2436
PHONE: 806-371-8844
FAX: 806-371-7044

2208 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4313
PHONE: 202-225-3706
FAX: 202-225-3486

2525 KELL BOULEVARD, SUITE 406
WICHITA FALLS, TX 76308-1061
PHONE: 940-692-1700
FAX: 940-692-0539

Congress of the United States
Washington, DC 20515

October 3, 2018

The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, DC 20004

Dear Acting Administrator Wheeler,

We write to express significant concern with the proposed 2019 Renewable Volume Obligations (RVO) under the Renewable Fuel Standard (RFS). The proposed RVO would constitute a breach of the ethanol blendwall, jeopardizing automobile reliability and harming American consumers.

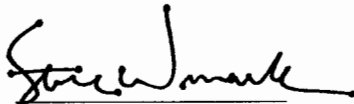
Through the Energy Independence and Security Act of 2007 (EISA), Congress expanded the RFS. The expansion included mandating an annual increase of biofuel to be blended and consumed in the nation's motor fuel supply, with the intent to reach 36 billion gallons of biofuel by 2022. In 2007, the market assumptions regarding the future transportation fuel in the United States were very different from the realities of the market today. Since 2007, we have seen motor gasoline demand projections decline. Demand is 12 percent less than where it was expected under the RFS and will be 22 percent lower than the RFS forecasted by 2022. Domestic energy production has significantly increased – a reversal from the market assumptions that formed the cornerstone of the necessity for mandated volumes in the RFS.

Keeping in mind increased fuel efficiency has led to a shrinking gasoline demand, continual rise of the biofuel blending level requirements has exacerbated the onset of the 10 percent blendwall – the point at which the gasoline supply is saturated with the maximum amount of ethanol that current vehicles, engines, and infrastructure can safely accommodate and consume. We agree with the EPA's 2014 conclusion that the 10 percent blendwall is a binding constraint on the RFS, but unfortunately, none of the subsequent rulemakings, nor the current 2019 proposal, have alleviated our concerns of breaches to the agreed upon percentage.

EPA acknowledges that its RVO proposals are intended to increase the use of higher ethanol blends in order to meet the EISA mandate. However, blends like E15 and E85 raise concerns and now prove to be impractical and unnecessary. Both blends are still only available at less than two percent of gas stations and sales represent a mere one-tenth of 1 percent of overall gasoline demand. After more than a decade of implementation, studies have shown economic harm and risk to consumers, especially those with classic cars, boats, lawn equipment, motorcycles, and snowmobiles. The Coordinating Research Council (CRC) found that E15 could damage engines and fuel systems and may void manufacturers' warranties. Furthermore, it will take years to build out a compatible vehicle fleet and install the necessary retail infrastructure to accommodate the higher blends of ethanol – blends consumers have already demonstrated they do not want. In the meantime, consumers lose with possible misfuelling and a higher cost of driving. Understandably, consumers have outright rejected these higher ethanol blends, despite the RFS's decade legacy.

Congress will continue its work toward a bipartisan solution to dealing with the RFS. As this work continues, it is critical that the EPA keeps blending requirements below the 10 percent blendwall and to help limit the economic harm this program has already caused.

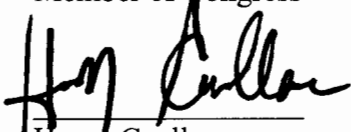
Sincerely,



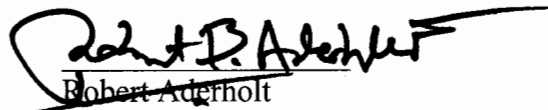
Steve Womack
Member of Congress



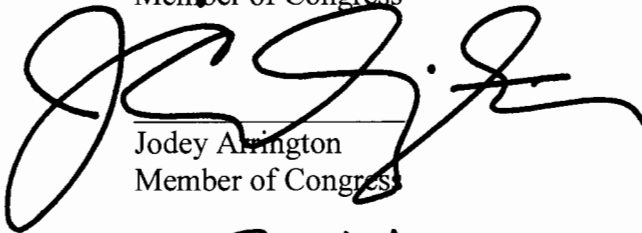
Bob Goodlatte
Member of Congress



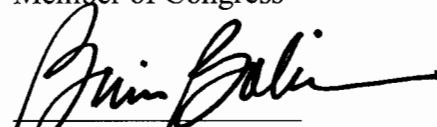
Henry Cuellar
Member of Congress



Robert Aderholt
Member of Congress



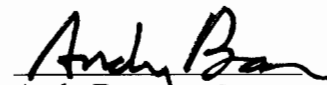
Jodey Arrington
Member of Congress



Brian Babin
Member of Congress



Lou Barletta
Member of Congress



Andy Barr
Member of Congress



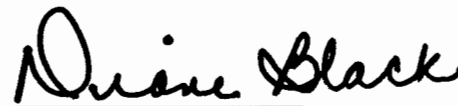
Joe Barton
Member of Congress



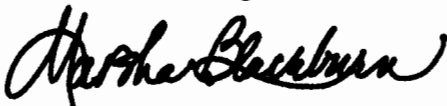
Gus Bilirakis
Member of Congress



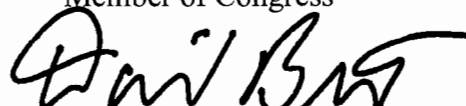
Rob Bishop
Member of Congress




Diane Black
Member of Congress





Marsha Blackburn
Member of Congress




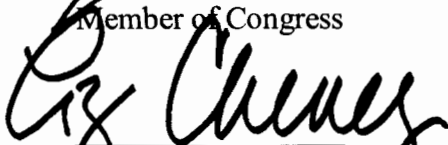
Dave Brat
Member of Congress



Michael C. Burgess, M.D.
Member of Congress

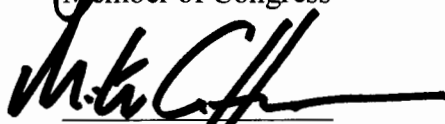

Bradley Byrne
Member of Congress

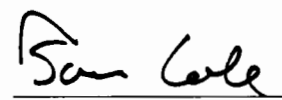

John Carter
Member of Congress



Steve Chabot
Member of Congress

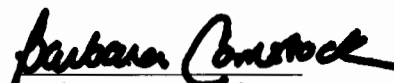

Liz Cheney
Member of Congress

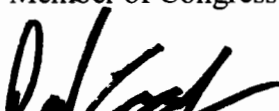

Michael Cloud
Member of Congress

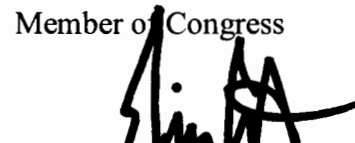

Mike Coffman
Member of Congress

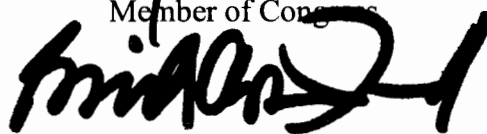

Tom Cole
Member of Congress



Doug Collins
Member of Congress

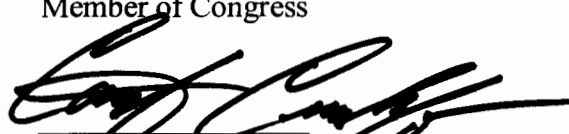

Barbara Comstock
Member of Congress



Paul Cook
Member of Congress



Jim Costa
Member of Congress

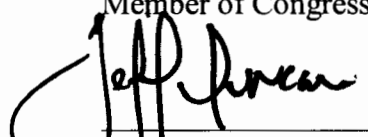

Rick Crawford
Member of Congress

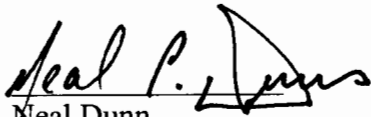

John Culberson
Member of Congress

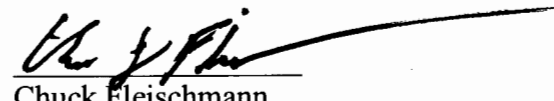

Carlos Curbelo
Member of Congress

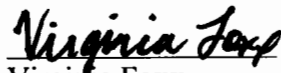

Peter DeFazio
Member of Congress

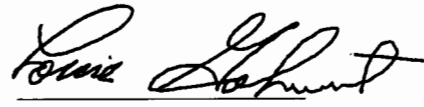

Jeff Denham
Member of Congress

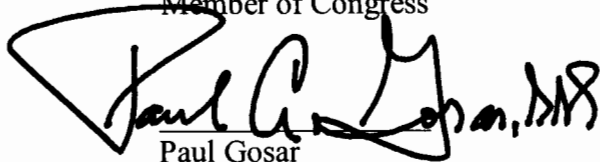

Jeff Duncan
Member of Congress

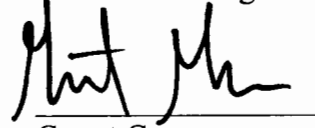

Neal Dunn
Member of Congress

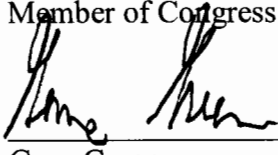

Chuck Fleischmann
Member of Congress

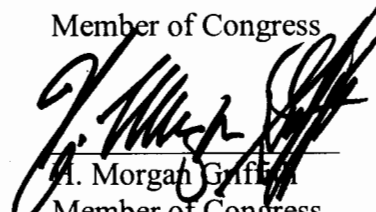

Virginia Foxx
Member of Congress

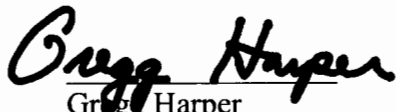

Louie Gohmert
Member of Congress

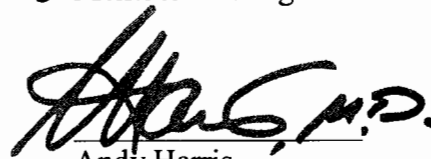

Paul Gosar
Member of Congress

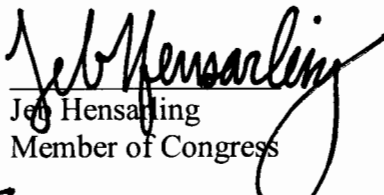

Garret Graves
Member of Congress



Gene Green
Member of Congress


M. Morgan Griffin
Member of Congress

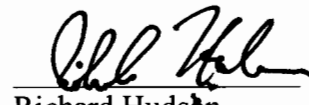

Gregg Harper
Member of Congress

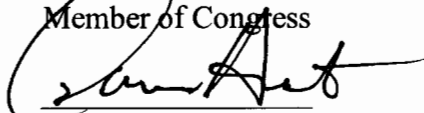

Andy Harris
Member of Congress

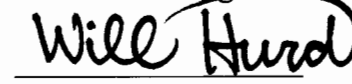

Jeb Hensarling
Member of Congress

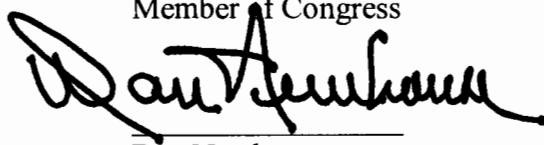

Jody Hice
Member of Congress

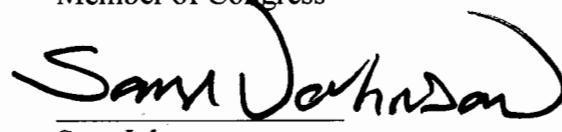

French Hill
Member of Congress

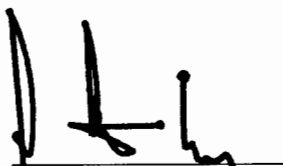

Richard Hudson
Member of Congress


Duncan Hunter
Member of Congress

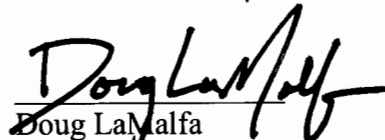

Will Hurd
Member of Congress



Dan Newhouse
Member of Congress



Sam Johnson
Member of Congress



Trent Kelly
Member of Congress



Mike Kelly
Member of Congress



Doug LaMalfa
Member of Congress

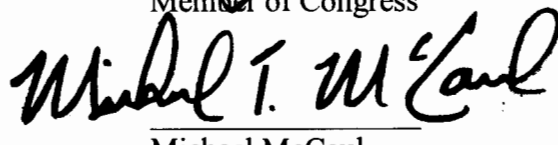

Doug Lamborn
Member of Congress

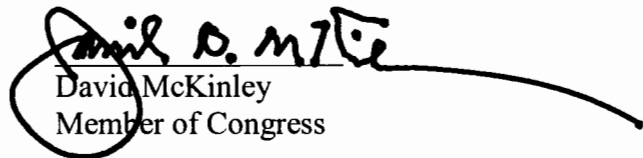

Billy Long
Member of Congress

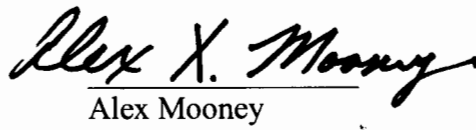

Mia Love
Member of Congress



Kenny Marchant
Member of Congress

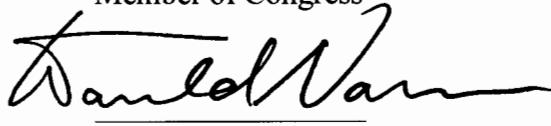

Thomas Massie
Member of Congress

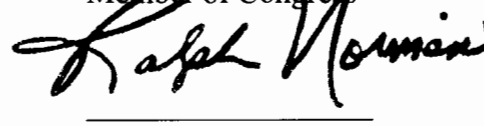

Michael McCaul
Member of Congress

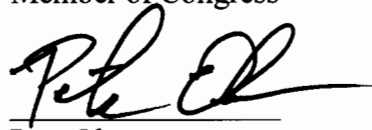

David McKinley
Member of Congress


Alex Mooney
Member of Congress

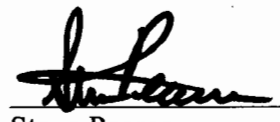

Markwayne Mullin
Member of Congress



Donald Norcross
Member of Congress

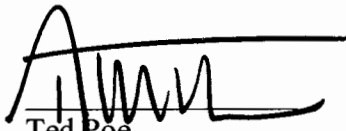

Ralph Norman
Member of Congress

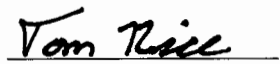

Pete Olson
Member of Congress

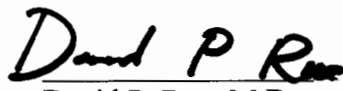

Steven Palazzo
Member of Congress

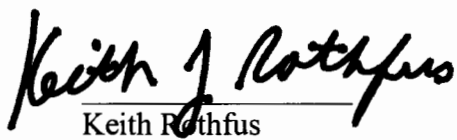

Steve Pearce
Member of Congress



Scott Perry
Member of Congress

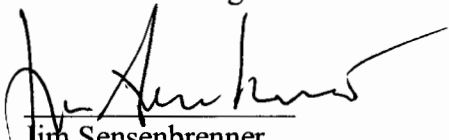

Ted Poe
Member of Congress

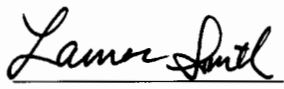

Tom Rice
Member of Congress

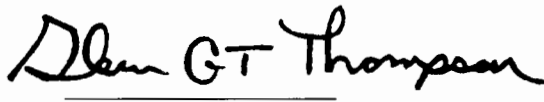

David P. Roe, M.D.
Member of Congress



Keith Rothfus
Member of Congress

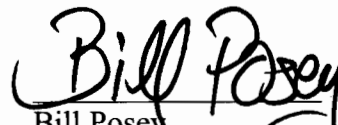

Edward R. Royce
Member of Congress

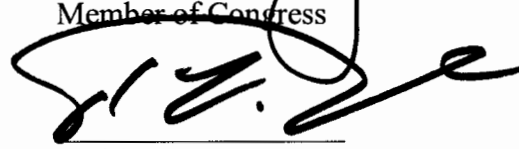

Jim Sensenbrenner
Member of Congress

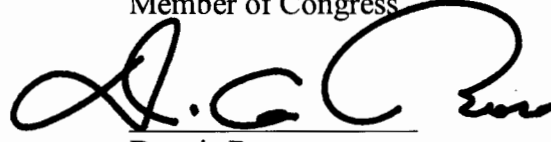

Lamar Smith
Member of Congress

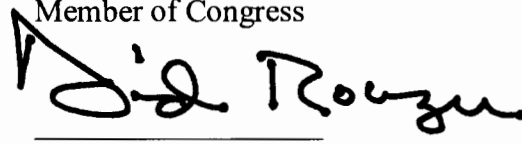

G.T. Thompson
Member of Congress

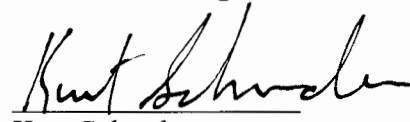

Tim Walberg
Member of Congress

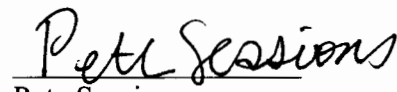

Bill Posey
Member of Congress



Cedric Richmond
Member of Congress



Dennis Ross
Member of Congress


David Rouzer
Member of Congress

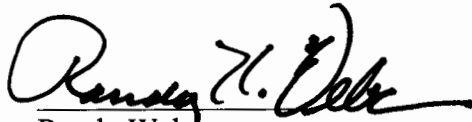

Kurt Schrader
Member of Congress

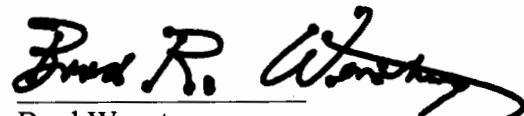

Pete Sessions
Member of Congress

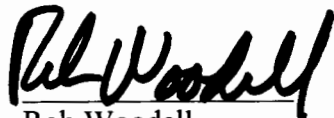

Chris Stewart
Member of Congress



David G. Valadao
Member of Congress



Mark Walker
Member of Congress

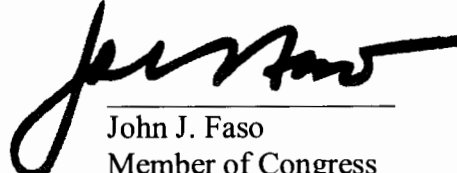

Randy Weber
Member of Congress

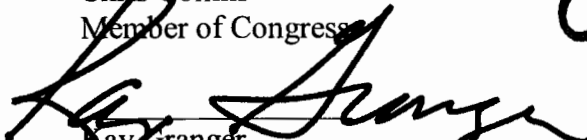

Brad Wenstrup
Member of Congress



Rob Woodall
Member of Congress

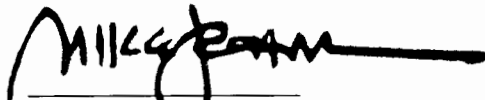

Lee Zeldin
Member of Congress



Chris Collins
Member of Congress

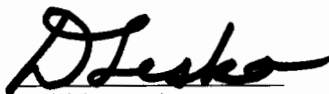

John J. Faso
Member of Congress

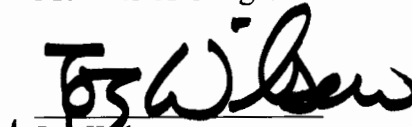

Ray Granger
Member of Congress

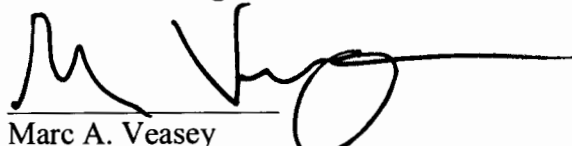

George Holding
Member of Congress


James Michael Johnson
Member of Congress


Walter Jones
Member of Congress


Debbie Lesko
Member of Congress


Joe Wilson
Member of Congress


Marc A. Veasey
Member of Congress